



# **MINUTES**

**Risk Management & Audit Committee  
Meeting**

**Friday, 20 October 2023**

**MINUTES OF CITY OF DARWIN  
RISK MANAGEMENT & AUDIT COMMITTEE MEETING  
HELD AT THE MEETING ROOM 1 BIDJPIDJI, LEVEL 1, CIVIC CENTRE, HARRY CHAN  
AVENUE, DARWIN  
ON FRIDAY, 20 OCTOBER 2023 AT 9:00 AM**

**PRESENT:** Chair Roland Chin, Councillor Jimmy Bouhoris, Councillor Brian O'Gallagher, Councillor Ed Smelt, Member George Araj, Member Sanja Hill, Member Joe McCabe

**OFFICERS:** Simone Saunders (Chief Executive Officer), Chris Kelly (Executive Manager Corporate and Customer Service), Steve Thacker (General Manager Corporate), Alice Percy (General Manager Innovation), Nick Fewster (Executive Manager Environment and Waste Services), Irene Frazis (Executive Manager Finance), Alexandra Vereker (Executive Manager HR and Safety)

**APOLOGY:** Nil

**GUESTS:** Nil

**Order Of Business**

<b>1</b>	<b>Meeting Declared Open</b> .....	<b>4</b>
<b>2</b>	<b>Apologies and Leave of Absence</b> .....	<b>4</b>
<b>3</b>	<b>Electronic Meeting Attendance</b> .....	<b>4</b>
<b>4</b>	<b>Declaration of Interest of Members and Staff</b> .....	<b>5</b>
<b>5</b>	<b>Confirmation of Previous Minutes</b> .....	<b>6</b>
<b>6</b>	<b>Action Reports</b> .....	<b>6</b>
6.1	Review of Risk Management Policy .....	6
6.2	Review of Allocation of Surplus Funds Policy No. 3020.100.E.R.....	7
6.3	Review of Financial reserves policy No. 3010.100.E.R.....	7
6.4	Monthly Financial Reports: May 2023 - August 2023 .....	7
6.5	RMAC 2023/24 Proposed Meeting Dates and Report Schedule.....	8
6.6	Review of Risk Management and Audit Committee Terms of Reference.....	8
6.7	Risk Review and Assessment - October 2023.....	8
<b>7</b>	<b>Questions by Members</b> .....	<b>9</b>
<b>8</b>	<b>General Business</b> .....	<b>9</b>
<b>9</b>	<b>Closure of Meeting to the Public</b> .....	<b>9</b>

## 1 MEETING DECLARED OPEN

### COMMITTEE RESOLUTION RMAC039/23

Moved: Councillor Jimmy Bouhoris  
Seconded: Councillor Brian O'Gallagher

The Chair declared the meeting open at 9:13 am.

**CARRIED 7/0**

### ACKNOWLEDGEMENT OF COUNTRY

We the members of City of Darwin acknowledge that we are meeting on Larrakia Country.

We recognise and pay our respects to all Larrakia people, Traditional Owners and Custodian Elders of the past and present.

We support emerging Larrakia leaders now and into the future.

We are committed to working together with all Larrakia to care for this land and sea for our shared future.

## 2 APOLOGIES AND LEAVE OF ABSENCE

Nil

## 3 ELECTRONIC MEETING ATTENDANCE

### 3.1 ELECTRONIC MEETING ATTENDANCE GRANTED

### COMMITTEE RESOLUTION RMAC040/23

Moved: Councillor Ed Smelt  
Seconded: Councillor Jimmy Bouhoris

THAT The Committee note that pursuant to Section 98 (3) of the Local Government Act the following members were granted permission for Electronic Meeting Attendance at this Risk Management and Audit Committee Meeting held on Friday, 20<sup>th</sup> October 2023:

- Chair Roland Chin
- Member Joe McCabe
- Member George Araj

**CARRIED 7/0**

### 3.2 ELECTRONIC MEETING ATTENDANCE REQUESTED

#### COMMITTEE RESOLUTION RMAC041/23

Moved: Councillor Ed Smelt

Seconded: Councillor Jimmy Bouhoris

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No. 21\0009 – 15/04/12, the following members request Electronic Meeting Attendance:

- A. Member George Araj to attend all RMAC Meetings.
- B. Member Joe McCabe to attend all RMAC Meetings.

**CARRIED 7/0**

## 4 DECLARATION OF INTEREST OF MEMBERS AND STAFF

### 4.1 DECLARATION OF INTEREST BY MEMBERS

#### RECOMMENDATIONS

Member Roland Chin made the following Declarations (updated 20/10/23):

- A. Treasurer of St John Ambulance Australia (NT) Inc.; Director of SJA (NT) Endowment Company Pty Ltd as trustee for The St John Ambulance (NT) Endowment Trust; Director of St John Ambulance Australia NT Holdings Pty Ltd; St John Ambulance Australia Ltd – Finance, Audit & Risk subcommittee.
- B. President of Chung Wah Society Inc.
- C. ~~Northern Territory General Practice Education Ltd – Finance and Audit Committee~~
- D. Chair of Audit and Risk Committee of Venture Housing Company Limited
- E. Chair of Audit, Risk and Compliance Committee of Charles Darwin University
- F. Tiwi Land Council Audit Committee

Councillor Jimmy Bouhoris made the following Declarations (25/06/21):

- A. Any items relating to PowerWater.

Councillor Ed Smelt made the following Declarations (20/10/2023):

- A. Any items relating to Department of Infrastructure, Planning and Logistics NTG

Member Sanja Hill advised of the following representations (updated 20/10/22):

- A. Currently providing advisory services to NTG, YMCA and MACC
- B. Any items relating to Department of the Attorney-General and Justice NTG

Member Joe McCabe made the following Declarations (20/10/2023):

- A. Any items relating to Alice Springs Town Council

## 4.2 DECLARATION OF INTEREST BY STAFF

### COMMITTEE RESOLUTION RMAC042/23

Moved: Councillor Brian O'Gallagher  
Seconded: Councillor Ed Smelt

- A. THAT the Committee note that pursuant to Section 107 of the Local Government Act, Chris Kelly, declared a Conflict of Interest in any items relating to District Council of Mount Remarkable, as an External Member of the Audit and Risk Committee.

**CARRIED 7/0**

## 5 CONFIRMATION OF PREVIOUS MINUTES

### COMMITTEE RESOLUTION RMAC043/23

Moved: Member Sanja Hill  
Seconded: Chair Roland Chin

That the minutes of the Risk Management & Audit Committee Meeting held on 23 June 2023 be confirmed.

**CARRIED 7/0**

## 6 ACTION REPORTS

### 6.1 REVIEW OF RISK MANAGEMENT POLICY

#### COMMITTEE RESOLUTION RMAC044/23

Moved: Member Sanja Hill  
Seconded: Councillor Jimmy Bouhoris

1. THAT the report entitled Review of Risk Management Policy be received and noted.
2. THAT the Risk Management and Audit Committee recommends that Council endorse the revised Policy 0069.100.E.R. Risk Management Policy.

**CARRIED 7/0**

**6.2 REVIEW OF ALLOCATION OF SURPLUS FUNDS POLICY NO. 3020.100.E.R****COMMITTEE RECOMMENDATIONS**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Ed Smelt

1. THAT the report entitled Review of Surplus Funds Policy No. 0066.100.E.R be received and noted.
2. THAT the committee recommends to Council to rescind Allocation of Surplus Funds Policy No.0066.100.E.R.
3. THAT the committee recommends to Council to adopt policy Allocation of surplus funds Policy No.3020.100.E.R at **Attachment 1**.

In Favour: Members George Araj, Jimmy Bouhoris, Roland Chin, Sanja Hill, Joe McCabe and Brian O'Gallagher

Against: Member Ed Smelt

**CARRIED 6/1**

**6.3 REVIEW OF FINANCIAL RESERVES POLICY NO. 3010.100.E.R.****COMMITTEE RESOLUTION RMAC045/23**

Moved: Member Sanja Hill

Seconded: Councillor Brian O'Gallagher

1. THAT the report entitled Review of Financial reserve policy No. 3010.100.E.R be received and noted.
2. THAT the committee recommends to Council to rescind Financial Reserves Policy No.0067.100.E.R
3. THAT the committee recommends to Council to adopt policy Financial reserve policy No. 3010.100.E.R." at **Attachment 1**.

**CARRIED 7/0**

**6.4 MONTHLY FINANCIAL REPORTS: MAY 2023 - AUGUST 2023****COMMITTEE RESOLUTION RMAC046/23**

Moved: Member Sanja Hill

Seconded: Councillor Jimmy Bouhoris

1. THAT the report entitled Monthly Financial Reports: May - August 2023 be received and noted.

**CARRIED 7/0**

**6.5 RMAC 2023/24 PROPOSED MEETING DATES AND REPORT SCHEDULE****COMMITTEE RESOLUTION RMAC047/23**

Moved: Member Sanja Hill

Seconded: Councillor Brian O'Gallagher

1. THAT the report entitled RMAC 2023/24 Proposed Meeting Dates and Report Schedule be received and noted.
2. THAT RMAC endorse the RMAC 2023/24 Proposed Meeting Dates and Report Schedule.

**CARRIED 7/0**

**6.6 REVIEW OF RISK MANAGEMENT AND AUDIT COMMITTEE TERMS OF REFERENCE****COMMITTEE RESOLUTION RMAC048/23**

Moved: Member Sanja Hill

Seconded: Member George Araj

1. THAT the report entitled Review of Risk Management and Audit Committee Terms of Reference be received and noted.

**CARRIED 7/0**

**6.7 RISK REVIEW AND ASSESSMENT - OCTOBER 2023****COMMITTEE RESOLUTION RMAC049/23**

Moved: Member Sanja Hill

Seconded: Councillor Brian O'Gallagher

1. THAT the report entitled Risk Review and Assessment October 2023 be received and noted.

**CARRIED 7/0**



## 7 QUESTIONS BY MEMBERS

### COMMITTEE RESOLUTION RMAC050/23

Moved: Councillor Ed Smelt

Seconded: Councillor Jimmy Bouhoris

THAT the following Questions by Members be received and noted.

#### 7.1 CALC GRANT FUNDING COMMITMENT

Member Councillor Brian O’Gallagher enquired when City of Darwin expects to be notified about the Northern Territory Government’s pre-election commitment to provide \$7.5m grant funding for the Casuarina Aquatic and Leisure Centre upgrade.

The Chief Executive Officer Simone Saunders responded and advised that Council’s PCIP application for the pre-election funding commitment is currently awaiting approval. To mitigate the identified risk Council has also sought and received approval from the NTG to borrow the funds from reserves, should the grant funding commitment not be upheld.

**CARRIED 7/0**

## 8 GENERAL BUSINESS

Nil

## 9 CLOSURE OF MEETING TO THE PUBLIC

### RECOMMENDATIONS

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the Confidential Items of the Agenda.

**RECOMMENDATIONS**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 99(2) of the Local Government Act:

**12.1 Audited Annual Financial Statements for Year Ended 30 June 2023**

This matter is considered to be confidential under Section 99(2) - 51(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to subject to subregulation 51(3) – prejudice the interests of the council or some other person.

**12.2 City of Darwin Draft Annual Report 2022/23**

This matter is considered to be confidential under Section 99(2) - 51(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to subject to subregulation 51(3) – prejudice the interests of the council or some other person.

**12.3 Shoal Bay Waste Management Facility - Update October 2023**

This matter is considered to be confidential under Section 99(2) - 51(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to subject to subregulation 51(3) – prejudice the interests of the council or some other person.

**12.10 Asset Management Update**

This matter is considered to be confidential under Section 99(2) - 51(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

**12.4 ICT Roadmap - Update on Progress**

This matter is considered to be confidential under Section 99(2) - 51(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to subject to subregulation 51(3) – prejudice the interests of the council or some other person.

**12.5 Update on Internal Audit Plan - October 2023**

This matter is considered to be confidential under Section 99(2) - 51(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

**12.6 Provision of Audit Services**

This matter is considered to be confidential under Section 99(2) - 51(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

**12.7 Notification Register - period ending 30 September 2023**

This matter is considered to be confidential under Section 99(2) - 51(a) and 51(f) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual and subject to subregulation 51(2) – information in relation to a complaint of a contravention of the code of conduct.

**12.8 Corporate Services Quarterly Report - April to June 2023**

This matter is considered to be confidential under Section 99(2) - 51(a) and 51(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual and information that would, if publicly disclosed, be likely to subject to subregulation 51(3) – prejudice the interests of the council or some other person.

**12.9 Work Health & Safety Quarterly Report: April - June 2023**

This matter is considered to be confidential under Section 99(2) - 51(a) and 51(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual and information that would, if publicly disclosed, be likely to subject to subregulation 51(3) – prejudice the interests of the council or some other person.

**The Meeting closed at 10:31 am.**

**The minutes of this meeting were confirmed at the Risk Management & Audit Committee held 23 February 2024.**

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**CHAIR**