



AGENDA

Ordinary Council Meeting Tuesday, 17 May 2022

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Tuesday, 17 May 2022

Time: 5:30pm

**Location: Council Chambers Darrandirra
Level 1, Civic Centre
Harry Chan Avenue, Darwin**

Webcasting: [MS Teams Link to Webcast](#)

**Simone Saunders
Interim Chief Executive Officer**

ORDINARY COUNCIL MEMBERS

The Right Worshipful, the Lord Mayor Kon Vatskalis (Chair)

Deputy Lord Mayor Sylvia Klonaris

Councillor Paul Arnold

Councillor Jimmy Bouhoris

Councillor Brian O'Gallagher

Councillor Mick Palmer

Councillor Peter Pangquee

Councillor Morgan Rickard

Councillor Vim Sharma

Councillor Ed Smelt

Councillor Amye Un

Councillor Rebecca Want de Rowe

OFFICERS

Interim Chief Executive Officer, Simone Saunders

Acting General Manager Corporate, Chris Kelly

Acting General Manager Innovation, Drosso Lelekis

General Manager Community, Matt Grassmayr

WEBCASTING DISCLAIMER

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1 ACKNOWLEDGEMENT OF COUNTRY

2 THE LORD'S PRAYER

3 MEETING DECLARED OPEN

3.1 Multicultural Presentation – Indian Cultural Society

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 Apologies

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4.3 Leave of Absence Requested

5 ELECTRONIC MEETING ATTENDANCE

5.1 Electronic Meeting Attendance Granted

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6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

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Ordinary Council Meeting - 26 April 2022

8 MOVING OF ITEMS

8.1 Moving Open Items into Confidential

8.2 Moving Confidential Items into Open

9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

Nil

10 PUBLIC QUESTION TIME

11 PETITIONS

12 DEPUTATIONS AND BRIEFINGS

13 NOTICES OF MOTION

Nil

14 ACTION REPORTS

14.1 FINANCE POLICIES

Author: Acting General Manager Corporate

Authoriser: Interim Chief Executive Officer

Attachments: 1. Accountable Forms Policy [↓](#)
2. Credit Card Policy [↓](#)

RECOMMENDATIONS

1. THAT the report entitled Finance Policies be received and noted.
2. THAT Council adopt the Accountable Forms Policy at **Attachment 1**.
3. THAT Council adopt the Credit Card Policy at **Attachment 2**.

PURPOSE

The purpose of this report is to adopt an Accountable Forms Policy and Credit Card Policy.

KEY ISSUES

- City of Darwin is required by the *Local Government Act* and Regulations to have policies for the responsibility and use of Accountable Forms and Credit Cards by Councillors and the CEO.
- The draft policy for Accountable Forms is at **Attachment 1** and the draft policy for Credit Cards is at **Attachment 2**.
- These policies outline the safeguards and rules for their use.

DISCUSSION

The *Local Government Act 2019* and associated Regulations came into effect on 1 July 2021. Regulation 6(d)(iii) of the Regulations requires Council to adopt by resolution a policy for the responsibility and use of accountable forms by Councillors and the Chief Executive Officer. A similar requirement for credit cards is stipulated in Regulation 6(e).

A policy for the responsibility and use of accountable forms has been developed and is at **Attachment 1**. Accountable forms are readily negotiable financial instruments, other than cash, that can be used as a method of payment for expenditure (eg. cheques, taxi vouchers, travel vouchers, sport vouchers or meal vouchers). The policy outlines responsibilities and safeguards for these forms.

A policy for the use of credit cards by Councillors and the Chief Executive Officer has also been developed and is at **Attachment 2**. Councillors do not generally have a need for credit card however, this policy outlines a number of operational safeguards and rules for their use.

PREVIOUS COUNCIL RESOLUTION

N/A

STRATEGIC PLAN ALIGNMENT	6 Governance Framework 6.3 Decision Making and Management
BUDGET / FINANCIAL / RESOURCE IMPLICATIONS	N/A
LEGISLATION / POLICY CONTROLS OR IMPACTS	N/A
CONSULTATION, ENGAGEMENT & COMMUNICATION	N/A
DECLARATION OF INTEREST	<p>The report author does not have a conflict of interest in relation to this matter.</p> <p>The report authoriser does not have a conflict of interest in relation to this matter.</p> <p>If a conflict of interest exists, staff will not act in the matter, except as authorised by the CEO or Council (as the case requires).</p>



ACCOUNTABLE FORMS POLICY

No. 0021.100.E.R

GOVERNANCE

1 PURPOSE

The purpose of this policy is to ensure the proper use and management of accountable forms issued to Councillors and the Chief Executive Officer (CEO) for the purposes of conducting Council business.

2 SCOPE

City of Darwin is committed to the safe custody, provision and proper use of accountable forms by Councillors and the CEO whilst conducting Council business.

Councillors and the CEO are required to apply good judgement for all expenditure incurred whilst conducting Council business. All accountable forms need to be carefully monitored and safeguarded due to their inherent risk of theft, fraud, loss or misuse.

Councillors include Committee Members who may not be Councillors.

3 POLICY STATEMENT

3.1 RESPONSIBILITIES OF COUNCILLORS AND THE CEO

All Councillors and the CEO are responsible for ensuring that accountable forms are only used in the course of conducting official Council business. Accountable forms must not be used for private purposes.

Accountable forms may only be used by the individual Councillor or CEO who has been issued with the accountable form. A Councillor or the CEO must not pass the accountable form to any other individual for use.

In the event an accountable form is inadvertently used for private purposes, the full value of the transaction must be reimbursed to Council within 2 business days of the bearer becoming aware.

Once an accountable form has been used, the Councillor must keep a copy of the receipt and invoice and submit this to the CEO (or the Authorised Delegate). Details of the nature of Council business date and time of use of the accountable form should also be provided.

When an accountable form is used by the CEO, the CEO must also retain a copy of the receipt and invoice and submit this to the delegated officer along with details of the nature of Council business, date and time of use of the accountable form.

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Accountable Forms Policy 0021.100.E.R		Page 1 of 2
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Responsible Officer: Chief Executive Officer		Next Review Date:

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ACCOUNTABLE FORMS POLICY 0021.100.E.R

GOVERNANCE

3.2 SAFEGUARDING OF ACCOUNTABLE FORMS

It is the responsibility of individual Councillors and the CEO to ensure all accountable forms issued by Council for conducting Council business are kept in a safe and secure place to minimise the risk of theft or unauthorised transactions.

Unused or expired accountable forms must not be destroyed by Councillors or the CEO. Unused or expired accountable forms must be returned to the authorised delegate responsible for issuing the accountable form.

4 DEFINITIONS

Accountable Forms are readily negotiable financial instruments, other than cash, that can be used as a method of payment for expenditure (eg. cheques, taxi vouchers, travel vouchers, sport vouchers or meal vouchers).

Authorised Delegate means any staff member within City of Darwin who has been delegated appropriate authority by the Chief Executive Officer to undertake the specified function on the CEO's behalf

5 LEGISLATIVE REFERENCES

Local Government Act 2019 (NT)

Local Government (General) Regulations

6 PROCEDURES / RELATED DOCUMENTS

Nil

7 RESPONSIBILITY / APPLICATION

The CEO is accountable for the overall establishment and periodic review of this policy. Councillors and the CEO are responsible for responsibilities contained within this policy.

This Policy is subject to review every two (2) years, or as deemed appropriate, thereafter.

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CREDIT CARD POLICY

No. 0020.100.E.R

GOVERNANCE

1 PURPOSE

The purpose of this policy is to ensure effective controls, policies and procedures are in place with respect to the use of corporate credit cards (credit cards) by Councillors (including the Lord Mayor) and the Chief Executive Officer (CEO) of the Council.

2 SCOPE

City of Darwin is committed to the safe custody, provision and proper use of credit cards by Councillors and the CEO whilst conducting Council business.

Councillors and the CEO are required to apply good judgement for all expenditure incurred whilst conducting Council business. All accountable forms need to be carefully monitored and safeguarded due to their inherent risk of theft, fraud, loss or misuse.

3 POLICY STATEMENT

3.1 ISSUE OF CREDIT CARD

Before a credit card is issued, the recipient must agree to, and sign conditions of use.

City of Darwin will maintain a register of credit cards issued to Councillors and CEO, including details of the approval, the cardholder, the institution expenditure limits and expiry date.

3.1.1 CEO CREDIT CARD

Council will authorise the issue of a credit card from City of Darwin's banking provider to the CEO with a monthly credit limit of \$10,000 and a maximum limit for single transactions of \$10,000.

The credit card is to have no cash advance facilities. The credit card is not to be linked to any form of award points. Council may further limit the purposes for which the credit card may be used.

3.1.2 COUNCILLOR CREDIT CARDS

City of Darwin may issue a credit card to a Councillor only if the card is necessary for the Councillor to perform their functions and it is not reasonably possible to use City of Darwin's normal procedures for ordering or payment for goods and services. The CEO must set monthly and transaction limits to be applied.

The credit card is to have no cash advance facilities. The credit card is not to be linked to any form of award points. Council may further limit the purposes for which the credit card may be used.

3.2 USE OF CREDIT CARD

It is the responsibility of the cardholder to ensure that limits are not exceeded.

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GOVERNANCE

Credit cards should only be used in situations where it is not reasonably possible or cost effective to go through the Council's normal procedures for the ordering or and/or payment for goods and services.

Personal expenditure is not to be charged to a credit card under any circumstances. The cardholder is not to gain any personal benefits from being the holder of the card.

Any expenditure using the credit card must comply with legislative requirements, City of Darwin procurement policy, delegations and directions.

Cardholders are responsible for the safe custody and security of the card and are liable for any misuse and associated costs.

The cardholder is not to allow others to use the credit card and must not disclose the personal identification number (PIN) or access codes to any person.

Any Councillor credit card issued is to be reconciled monthly and that reconciliation is to be reviewed and subsequently authorised by the CEO.

The CEO's credit card is to be reconciled monthly. However, that reconciliation is to be reviewed and subsequently approved by the Lord Mayor.

The cardholder must ensure that all required documentation specified below is kept in relation to every use of the credit card. The cardholder must keep up to date with monthly reconciliations.

3.3 MISUSE OF THE CREDIT CARD

Misuse of the credit card is a serious matter and may constitute a breach of this policy and criminal legislation. Suspected or inadvertent misuses of the credit card must be reported, investigated and dealt with in accordance with credit card management procedures.

Deliberate or inadvertent misuse of credit cards may result in actions for breach of Code of Conduct, criminal proceedings and full recovery of monies.

3.4 REQUIRED SUPPORTING DOCUMENTATION

Supporting documentation must be obtained by the cardholder for every expenditure when using the credit card. For all transactions above \$82.50 (including GST), there must be a tax invoice that should include:

- a) the Supplier's name;
- b) the Supplier's Australian Business Number (ABN);
- c) the date of the expenditure; and
- d) a brief description, where possible, of the supplies purchased.

If the supporting documentation is for some reason lost or destroyed, a statutory declaration must be completed by the cardholder giving full details of the transaction and explaining why the documentation is not available.

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Credit card reconciliations must not be approved without appropriate supporting documentation or an appropriate statutory declaration.

Where supporting documentation for a CEO's credit card purchase cannot be provided, the Lord Mayor must not approve the monthly credit card reconciliation unless a statutory declaration is attached.

If a cardholder regularly makes use of a statutory declaration, the matter of repeated failure to keep tax invoices must be brought to the attention of Council and the Council will consider whether it is appropriate for the person to continue being a cardholder.

3.5 CREDIT CARD RECONCILIATIONS

Each cardholder will be issued with a monthly credit card statement listing all their purchase transactions for a particular month.

It is the responsibility of the cardholder to match their supporting documentation to the monthly statement and return all documentation within 7 days of receiving the statement.

The reconciliation must include information for each transaction, including transactions of \$82.50 (including GST) or less.

The CEO approves reconciliations of credit cards held by Councillors. The Lord Mayor approves the reconciliation of the CEO's credit card.

Repeated failure to meet the required timeframe must be brought to the attention of Council and the CEO may review whether it is appropriate for the person to continue being a cardholder.

The CEO is to notify the Lord Mayor and Council's Finance Team as soon as possible if there is a disputed card transaction in relation to the credit card held by the CEO. A Councillor is to notify the CEO as soon as possible if there is a disputed card transaction in relation to a credit card held by the Councillor.

Where a Councillors credit card has been inadvertently used for personal use, the CEO must not approve the monthly credit card reconciliation unless the amount has been repaid to Council and a receipt is attached.

Where a CEO's credit card has been inadvertently used for personal use, the Lord Mayor must not approve the monthly credit card reconciliation unless the amount has been repaid to Council and a receipt is attached.

3.6 CREDIT CARD CANCELLATION AND REPLACEMENT

If a credit card is lost or stolen, the cardholder must immediately contact the issuing institution to report the loss and cancel the card. If the cardholder is a Councillor, the matter must be reported as soon as possible to the CEO. If the CEO is the cardholder, the matter must be reported to the Lord Mayor.

In the above circumstances, the CEO is to ensure that the credit card has been cancelled, arrange a replacement card (if appropriate) and update the credit card register.

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3.7 RETURN OF CREDIT CARD

The cardholder is to return the credit card to the Council as soon as the card is no longer required or, if leaving the Council, on or before the last day with Council.

The CEO is to ensure that all returned credit cards are cancelled, destroyed and that the register is updated.

4 DEFINITIONS

Nil

5 LEGISLATIVE REFERENCES

Local Government Act 2019 (NT)

Local Government (General) Regulations

6 PROCEDURES / RELATED DOCUMENTS

Corporate Credit Cardholder Agreement

7 RESPONSIBILITY / APPLICATION

The CEO is accountable for the overall establishment and periodic review of this policy. The CEO and Councillors are responsible for responsibilities contained within this policy.

This Policy is subject to review every two (2) years, or as deemed appropriate, thereafter.

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14.2 ADOPTION OF GIFTS AND BENEFITS POLICIES

Author: Acting General Manager Corporate

Authoriser: Interim Chief Executive Officer

Attachments: 1. Elected Members Gifts and Benefits Policy [↓](#)
2. CEO Gifts and Benefits Policy [↓](#)

RECOMMENDATIONS

1. THAT the report entitled Adoption of Gifts and Benefits Policy be received and noted.
2. THAT Council adopt the Elected Members Gifts and Benefits Policy at **Attachment 1**.
3. THAT Council adopt the CEO Gifts and Benefits Policy at **Attachment 2**.

PURPOSE

The purpose of this report is to adopt City of Darwin's Gifts and Benefits Policies for the Elected Members and for the CEO as required by the *Local Government Act*.

KEY ISSUES

- City of Darwin is required by the *Local Government Act* to have a policy for gifts and benefits received by Elected Members, and the CEO.
- It is recommended that any gifts and/or benefits exceeding \$30 in value are declared and entered onto the applicable Register of Gifts and Benefits. This will apply to Elected Members, the CEO and staff.

DISCUSSION

The *Local Government Act 2019* and associated Regulations came into effect on 1 July 2021. Section 112(1) of the Act requires Council to adopt a policy on gifts and benefits for Elected Members. Regulation 6(1)(g) requires Council to adopt a policy on gifts and benefits for the Chief Executive Officer (CEO).

A policy based on the model policy released by the Department of Chief Minister and Cabinet has been prepared at **Attachment 1**. This policy requires and gifts and benefits over the value of \$30, unless they are a nominated exception, to be declared and entered on the Register of Gifts and benefits to be maintained by the CEO.

Similarly, a policy for gifts and benefits received by the CEO and staff over \$30 in value is at **Attachment 2**. This is broader than the legislative requirement as it extends to staff as well. The register of gifts and benefits for the CEO are to be made available to Elected Members. This register is available to Elected Members and will be tabled at Council meetings at least once a year. The register for staff gifts and benefits will be maintained by the CEO.

PREVIOUS COUNCIL RESOLUTION

N/A

STRATEGIC PLAN ALIGNMENT	6 Governance Framework 6.4 Accountability
BUDGET / FINANCIAL / RESOURCE IMPLICATIONS	N/A
LEGISLATION / POLICY CONTROLS OR IMPACTS	N/A
CONSULTATION, ENGAGEMENT & COMMUNICATION	N/A
DECLARATION OF INTEREST	<p>The report author does not have a conflict of interest in relation to this matter.</p> <p>The report authoriser does not have a conflict of interest in relation to this matter.</p> <p>If a conflict of interest exists, staff will not act in the matter, except as authorised by the CEO or Council (as the case requires).</p>



GIFTS AND BENEFITS POLICY

No. 0014.100.E.R

GOVERNANCE

1 PURPOSE

The purpose of this policy is to set out the requirements for Elected Members receiving gifts or benefits and disclosing relevant gifts or benefits.

2 SCOPE

This policy applies to Elected Members. Separate policy guidance is provided for City of Darwin staff.

An Elected Member must discharge their duties, responsibilities and obligations impartially and with integrity including in relation to receiving, accepting and disclosing gifts or benefits.

An Elected Member must not accept a gift or benefit of any value that may be perceived by a reasonable person to improperly influence the performance or decisions of the Elected Member or the Council.

Elected Members must also adhere to clauses 9.1 and 9.2 of the Code of Conduct relating to gifts (see Schedule 1 of the *Local Government Act 2019*).

3 POLICY STATEMENT

3.1 RELEVANT GIFTS OF BENEFITS

A relevant gift or benefit is a gift or benefit that exceeds the **nominal value** and includes:

- (a) gift or benefit received for the Council and accepted by an Elected Member; or
- (b) gift or benefit received and accepted by an Elected Member for the Elected Member or another person.

3.2 REJECTING GIFTS AND BENEFITS

If an Elected Member has received any gift or benefit that breaches the principles at clause 2 above, the Elected Member must reject the gift or benefit by returning it to the donor and respectfully explaining to the donor that acceptance of the gift or benefit would breach this policy.

3.3 DISCLOSURE OF RELEVANT GIFTS OR BENEFITS

If an Elected Member has received a relevant gift or benefit, the Elected Member must inform the CEO as soon as practicable after receipt and provide the following information in writing:

- (a) name of the Elected Member that received the relevant gift or benefit;
- (b) name of the donor (person or organisation) giving the gift or benefit;

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Gifts and Benefits Policy 0014.100.E.R

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- (c) date the gift or benefit was received;
- (d) description of the gift or benefit;
- (e) whether the gift or benefit is for the City of Darwin, the Elected Member or another person (including the full name and relationship of the person to the Elected Member, if applicable);
- (f) value (or estimated value) of the gift or benefit;
- (g) reason for the gift or benefit;
- (h) any other relevant details.

The CEO will record the details in the **register of declared gifts and benefits**.

Where lawful and practical, Council may give customers the option of not identifying themselves when supplying information or entering into transactions with Council and will provide advice of any consequences of remaining anonymous.

3.4 EXEMPTIONS FROM DISCLOSURE

The principles in clause 2 still apply to gifts or benefits that are exempted from disclosure in the list below.

The following gifts or benefits are exempted from disclosure under this policy:

- (a) a gift or benefit given to the Elected Member by the City of Darwin;
- (b) a **protocol gift** given to an Elected Member for the City of Darwin;
- (c) a gift or benefit given to the City of Darwin in relation to its status as a body corporate where no individual Elected Member or Members are considered to have accepted the gift or benefit;
- (d) food, accommodation, hospitality or entertainment included in the attendance of meetings, conferences, training courses, functions or other events that have been organised through the City of Darwin or that are required in accordance with performance of the Elected Member's official duties;
- (e) a donation disclosed (or to be disclosed) by the council member in a **campaign donation return**;
- (f) a private and personal gift (such as a birthday present from a family member).

4 DEFINITIONS

Associate as per Section 8 of the Act, a person is an associate of another person if:

- (a) they are in a close family relationship; or
- (b) they are in partnership; or
- (c) one is a company and the other is a director or manager of the company; or
- (d) they are related companies; or
- (e) one is a private company and the other is a shareholder in the company; or
- (f) a chain of relationships can be traced between them under one or more of the above paragraphs.

Campaign Donation Return Disclosure to the Electoral Commission as per the requirements of section 148 of the Act.

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Nominal Value means gifts or benefits totaling less than \$30 from the same donor or an associate of the donor in a financial year

Protocol Gift means a gift or benefit given to a council member for diplomatic, ceremonial or symbolic purposes that will not be sold or transferred (unless in diplomatic, ceremonial or symbolic circumstances).

Register of Declared Gifts and Benefits is a register required to be kept by the CEO in accordance with section 113 of the Act. This register will be publicly available.

5 LEGISLATIVE REFERENCES

- *Local Government Act 2019* (NT)

6 PROCEDURES / RELATED DOCUMENTS

Nil

7 RESPONSIBILITY / APPLICATION

The Chief Executive Officer is accountable for the overall establishment and periodic review of this policy.

This Policy is subject to review every two (2) years, or as deemed appropriate, thereafter.

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CEO GIFTS AND BENEFITS POLICY

No. 0016.100.E.R

GOVERNANCE

1 PURPOSE

The purpose of this policy is to set out the requirements for the Chief Executive Officer (CEO) and City of Darwin staff receiving gifts or benefits and disclosing relevant gifts or benefits.

2 SCOPE

This policy applies to the CEO and City of Darwin staff (collectively referred to as "staff"). Separate policy guidance is provided for City of Darwin Elected Members.

All staff must, at all times, discharge official duties, responsibilities and obligations impartially and with integrity in relation to receiving, accepting and disclosing gifts or benefits. Staff must not solicit or accept gifts and/or benefits. Staff must not accept a gift or benefit from any person or organisation, which may be perceived by a reasonable person to influence their performance of official duties, responsibilities and obligations. A benefit includes entertainment or hospitality.

3 POLICY STATEMENT

3.1 RELEVANT GIFTS OF BENEFITS

A relevant gift or benefit is a gift or benefit that exceeds the **nominal value** and includes:

- (a) gift or benefit received for the Council and accepted by an Elected Member; or
- (b) gift or benefit received and accepted by an Elected Member for the Elected Member or another person.

3.2 REJECTING GIFTS AND BENEFITS

If staff have received any gift or benefit that breaches the principles at clause 2 above, staff must reject the gift or benefit by returning it to the donor and respectfully explaining to the donor that acceptance of the gift or benefit would breach this policy.

3.3 DISCLOSURE OF RELEVANT GIFTS OR BENEFITS

If the CEO has received a relevant gift or benefit, the CEO must inform the Lord Mayor as soon as practicable after receipt and provide the following information in writing:

- (a) name of the donor (person or organisation) giving the gift or benefit;
- (b) date the gift or benefit was received;
- (c) description of the gift or benefit; the CEO or another person (including the full name and relationship of the person to the CEO, if applicable);
- (d) value (or estimated value) of the gift or benefit;

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CEO Gifts and Benefits Policy 0016.100.E.R

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Version: 1

Decision Number: ORD

Adoption Date:

Responsible Officer: Chief Executive Officer

Next Review Date:

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CEO GIFTS AND BENEFITS POLICY 0016.100.E.R

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- (e) reason for the gift or benefit;
- (f) any other relevant details.

After notifying the Lord Mayor, the CEO will record the details in the **CEO register of declared gifts and benefits**. This register is available to Elected Members at all times. A report on the contents of the **CEO register of declared gifts and benefits** will be presented to Council on an annual basis.

If a staff member other than the CEO has received a gift or benefit, they must also complete a register with the same details as above. This register is to be kept by the CEO.

3.4 EXEMPTIONS FROM DISCLOSURE

The principles in clause 2 still apply to gifts or benefits that are exempted from disclosure in the list below.

The following gifts or benefits are exempted from disclosure under this policy:

- (a) a gift or benefit given to staff by the City of Darwin;
 - (b) a **protocol gift** given to staff for the City of Darwin;
 - (c) a gift or benefit given to the City of Darwin in relation to its status as a body corporate where no individual is considered to have accepted the gift or benefit;
 - (d) food, accommodation, hospitality or entertainment included in the attendance of meetings, conferences, training courses, functions or other events that have been organised through the City of Darwin or that are required in accordance with performance of staff official duties;
- a gift or benefit given to staff in a private capacity for personal use by staff or another person – unless the gift or benefit may be perceived by a reasonable person to improperly influence the performance of official duties, responsibilities or obligations.

4 DEFINITIONS

Associate as per Section 8 of the Act, a person is an associate of another person if:

- (a) they are in a close family relationship; or
- (b) they are in partnership; or
- (c) one is a company and the other is a director or manager of the company; or
- (d) they are related companies; or
- (e) one is a private company and the other is a shareholder in the company; or
- (f) a chain of relationships can be traced between them under one or more of the above paragraphs.

CEO Register of Declared Gifts and Benefits is a register required to be kept by City of Darwin of gifts and benefits received by the CEO. This register is to be made available to Elected Members at all times and be presented at least once a year to Council.

Nominal Value means gifts or benefits totaling less than \$30 from the same donor or an associate of the donor in a financial year

Protocol Gift means a gift or benefit given to a council member for diplomatic, ceremonial or symbolic purposes that will not be sold or transferred (unless in diplomatic, ceremonial or symbolic circumstances).

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CEO Gifts and Benefits Policy 0016.100.E.R		Page 2 of 3
Version: 1	Decision Number: ORD	Adoption Date:
Responsible Officer: Chief Executive Officer		Next Review Date:

Electronic version current. Uncontrolled copy valid only at time of printing.



CEO GIFTS AND BENEFITS POLICY 0016.100.E.R

5 LEGISLATIVE REFERENCES

- *Local Government Act 2019* (NT)

6 PROCEDURES / RELATED DOCUMENTS

Nil

7 RESPONSIBILITY / APPLICATION

The Chief Executive Officer is accountable for the overall establishment and periodic review of this policy.

This Policy is subject to review every two (2) years, or as deemed appropriate, thereafter.

GOVERNANCE

CITY FOR PEOPLE. CITY OF COLOUR.

CEO Gifts and Benefits Policy 0016.100.E.R

Page 3 of 3

Version: 1

Decision Number: ORD

Adoption Date:

Responsible Officer: Chief Executive Officer

Next Review Date:

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14.3 REVIEW OF BORROWING POLICY 0023.100.E.R

Author: Executive Manager Finance

Authoriser: Acting General Manager Corporate

Attachments: 1. **Borrowing Policy 0023.100.E.R - tracked changes** [↓](#)
2. **Borrowing Policy 0023.100.E.R - for endorsement** [↓](#)

RECOMMENDATIONS

1. THAT the report entitled Review of Borrowings Policy 0023.100.E.R be received and noted.
2. THAT Council adopt the Borrowings Policy 0023.100.E.R at **Attachment 2**.

PURPOSE

The purpose of this report is to Adopt the Borrowing Policy 0023.100.E.R.

KEY ISSUES

- Pursuant to S342 of the *Local Government Act 2019*, Council must have a borrowing policy before any borrowing can occur.
- Any borrowings require Ministerial approval.
- S40 (3) (b) of the *Local Government Act 2019* requires Council to determine reasonable borrowing limits.
- The Borrowing Policy sets out the circumstances under which Council might use debt as a source of funds and principles to be applied in relation to borrowing.
- The Policy is being reviewed in be comparable with contemporary borrowing policies and best practice principles. This review is a two staged process, addressing the debt servicing limits now, followed by a more extensive wholistic review of borrowing covenants. This is still occurring.
- It is recommended that the debt servicing ratio be increased to 10%, whilst the wider review is being completed.

DISCUSSION

Debt is one mechanism Council has at its disposal to fund Capital projects. It is best practice that the term of any debt matches the life of the asset being purchased or constructed, ie if an asset had a life span of 10 years, then any borrowings should not be for any longer than 10 years. This ensures there is an intergenerational equity approach the funding, ie those enjoying the benefit and use from the assets are the ones funding it.

Council requires Ministerial approval for all borrowings. Prior to seeking Ministerial approval Council must first have a Borrowing Policy. The policy sets borrowing limits and the security for borrowings or mortgage charges over Council property. This property may include the present and future general revenue of the Council. This policy sits alongside the delegation resolutions that set reasonable limits on the delegations to the Chief Executive Officer by providing further detail on how borrowings will be managed.

The current policy has a single financial metric, being the debt servicing ratio, (the cost of interest and principal divided by total income), which must be less than or equal to 5%. The ratio has not been reviewed for some time and is a very restrictive metric when compared to other more contemporary borrowing covenants. The single metric provides very little manoeuvrability and the position exacerbates if, and when, interest rates increase.

In the draft 2022/23 Annual Plan, Council is projecting to have net assets of \$1,333.3M, external debt of \$65.3M and Total Equity of \$1,208.3M. This is a debt to equity ratio of 5.4%. The debt servicing ratio is 5.9%.

A wholistic policy would include a matrix of covenants, providing strong financial guidance, ensuring financial resilience. It is recommended that the covenants include a range of metric's including, Debt to Income, Debt to Rates, Debt to Equity, and Interest to both Operating Income and Rates. Staff are currently seeking borrowing policy covenant models from a range of stakeholders and industry experts. A matrix of covenants could include;

Debt will be managed within the following limits:

Net External Debt / Total Operating Income <225%

Net External Debt / Equity <20%

Net Interest on External Debt / Total Operating Income <15%

Net Interest on external debt / Annual Rates Income <25%

Liquidity (External, term debt + committed loan facilities

+ available liquid investments to existing external debt) >110%

Requests for feedback and discussion on this range of measures or similar proposals has been sought from, NTG Department of Local Government, NTG Department of Finance & Treasury, LGANT, LGFA – (The Local Government Finance Association of South Australia), Council's Treasury Advisors, and Councils funding partners. This feedback will help shape the fuller review of this policy to be brought back to Council.

PREVIOUS COUNCIL RESOLUTION

N/A

STRATEGIC PLAN ALIGNMENT

6 Governance Framework

6.3 Decision Making and Management

BUDGET / FINANCIAL / RESOURCE

Budget/Funding: N/A

Is Funding identified: N/A

IMPLICATIONS	<p>Existing Position No: N/A</p> <p>Contractor: N/A</p>
LEGISLATION / POLICY CONTROLS OR IMPACTS	<p>Legislation:</p> <p><i>There are a number of sections within the Local Government Act 2019, along with Ministerial Guideline 3</i></p>
CONSULTATION, ENGAGEMENT & COMMUNICATION	<p>Engagement Level: Consult</p> <p>Tactics:</p> <p>Internal:</p> <p>N/A</p> <p>External:</p> <p>Draft proposals have been sent to third party experts for feedback.</p>
DECLARATION OF INTEREST	<p>The report author does not have a conflict of interest in relation to this matter.</p> <p>The report authoriser does not have a conflict of interest in relation to this matter.</p> <p>If a conflict of interest exists, staff will not act in the matter, except as authorised by the CEO or Council (as the case requires).</p>



BORROWING POLICY

No. 0023.100.E.R

GOVERNANCE

1 PURPOSE

The policy sets forth the particular circumstances under which Council might use debt as a source of funds and principles to be applied in relation to borrowing.

2 SCOPE

2.1 OBJECTIVES:

- Ensure the sound management of Council's existing and future debt in the context of long term financial planning and financial sustainability.
- Minimise the cost of borrowing.
- Compliance with legislation including regulations and any Ministerial directions or guidelines.

2.2 BACKGROUND

Debt funding may be appropriate in the following circumstances:

- fund the acquisition, construction, expansion or refurbishment of a major capital asset or other expansion in capital works, or to upgrade obsolete technology; or to intensify the capital base of Council so as to reduce the ongoing cost of operating programs
- there are no other available sources of funding
- the Council is satisfied it can manage the risk and meet the debt repayments in the context of long term financial planning and financial sustainability.

Debt will not be used to cover recurrent operating expenses. Council generally prefers to minimise debt and financial risk. However debt funding is not precluded as a tool to assist management (within the context of financial prudence, long term planning and sustainability).

3 POLICY STATEMENT

External borrowings will be limited to the funding of significant items of capital expenditure:

- the life of which is expected to exceed the term of any funds borrowed
- that cannot be funded from other sources (Northern Territory Government guidelines require Council to consider the use of internal cash reserves).
- that are within the contexts of affordability, risk and financial sustainability.

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Borrowing Policy 0023.100.E.R		Page 1 of 3
Version: 3	Decision Number: 22/1105	Adoption Date: 25/09/2018
Responsible Officer: Chief Financial Officer		Next Review Date: 25/09/2022

Electronic version current. Uncontrolled copy valid only at time of printing.



BORROWING POLICY 0023.100.E.R

GOVERNANCE

Items to be funded by new borrowings will normally be identified in the Municipal Plan and Budget for the year in which the funds are proposed to be borrowed, thus undergoing a period of public consultation when the draft Municipal Plan and Budget is released for public comment (this condition may be waived in circumstances where an emergency or urgent situation requires the use of borrowings and there is compliance with all other policy and legal requirements such as Ministerial consent).

For external financial reporting purposes borrowing will be carried in the accounts in accordance with Australian Accounting Standards.

Council will decide whether the funding of capital expenditure should be by way of borrowing, (external or internal) or simply a utilisation of available funds after considering long term financial planning and sustainability.

Borrowings are to be utilised for the purpose for which the loan was raised. Where due to circumstances it is no longer appropriate to use the loan for the original purpose the Council will ensure it complies with all legal requirements for changing that purpose and will advise the Department of Local Government of its intention to do so prior to any decision.

Unexpended loan funds will be placed in a reserve until such time as a suitable use of the funds is identified.

Where a loan was raised by Council to obtain an asset and the loan has not been repaid when the asset is sold, the Council will consider, on the basis of costs and benefits, first applying the proceeds of the sale to the repayment of the loan source.

Additional factors to be considered when Council is considering new borrowings include:

- Obtaining funds on a competitive basis such as in conjunction with the contracts section of Council to minimise costs associated with borrowing and consideration of the structure of any proposed loan (e.g. fixed or variable interest).
- Interest rate and other risks (e.g. liquidity risks and investment credit risks).
- Repayment of debt period to be no longer than the weighted average estimated useful lives of the related assets purchased or 20 years whichever is the lesser.
- Repayment of borrowings to occur at least bi-annually.
- Internal borrowing: Where "internal" borrowing from an existing cash backed reserve occurs in lieu of external financing, Council will consider the appropriateness of internal repayment back to the reserve at the opportunity cost to Council of the funds utilised (e.g. competitive investment interest rates) however this consideration will not preclude the use of higher rates (e.g. external debt rates) or lower rates or interest free internal borrowing and flexible repayment terms not exceeding the life of the assets funded.
- Alternatives to debt.
- Where the borrowings are for commercial or semi commercial purposes, consideration will be given as to whether the return on the investment can service the debt (after consideration of community service obligations and any other objectives).

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BORROWING POLICY 0023.100.E.R

GOVERNANCE

3.1 DEBT SERVICING RATIO

The Debt Servicing Ratio at any time will be dependent on whether Council at that time is adopting:

- a strategy of growth with its supporting infrastructure, technological upgrade or capital intensification of services, or
- alternatively, maintaining the status quo in the provision of services to the community.

An increasing Debt Servicing Ratio should be demonstrated to be financially sustainable (for example through the long term financial plan).

The Debt Servicing Ratio should not exceed 105% (principal plus interest repayments as percentage of total revenue)

4 DEFINITIONS

Nil

5 LEGISLATIVE REFERENCES

Part 10.3 of the *Local Government Act 20~~1908 (NT)~~* sets out the requirements for Council borrowing at the time of adopting this policy, with borrowing defined as obtaining 'any form of financial accommodation' (Section ~~196~~~~22~~).

Other than for an overdraft of less than 2% of the Council's total revenue income for the preceding financial year obtained for a term of less than two months and transactions classified as of a 'minor nature' borrowing requires Ministerial approval (Section ~~197~~~~423~~). Borrowings of up to \$200,000 in **total** do not require Ministerial approval.

The Minister has also issued mandatory Guidelines (~~29/06/2008~~) pursuant to ~~S342~~~~258~~ of the *Local Government Act 20~~1908 (NT)~~* which require a Council to have a Borrowing Policy before any borrowing takes place.

6 PROCEDURES AND RELATED DOCUMENTS

Northern Territory Government Guideline 5: borrowing (current from 2011)

7 RESPONSIBILITY AND APPLICATION

There are no significant implementation issues arising from this reviewed policy.

~~S40~~~~33~~ (3) (b) of the *Local Government Act 20~~1908 (NT)~~* requires that if power to incur financial liabilities is delegated the Council must fix reasonable limits on the delegate's authority.

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BORROWING POLICY

No. 0023.100.E.R

GOVERNANCE

1 PURPOSE

The policy sets forth the particular circumstances under which Council might use debt as a source of funds and principles to be applied in relation to borrowing.

2 SCOPE

2.1 OBJECTIVES:

- Ensure the sound management of Council's existing and future debt in the context of long term financial planning and financial sustainability.
- Minimise the cost of borrowing.
- Compliance with legislation including regulations and any Ministerial directions or guidelines.

2.2 BACKGROUND

Debt funding may be appropriate in the following circumstances:

- fund the acquisition, construction, expansion or refurbishment of a major capital asset or other expansion in capital works, or to upgrade obsolete technology; or to intensify the capital base of Council so as to reduce the ongoing cost of operating programs
- there are no other available sources of funding
- the Council is satisfied it can manage the risk and meet the debt repayments in the context of long term financial planning and financial sustainability.

Debt will not be used to cover recurrent operating expenses. Council generally prefers to minimise debt and financial risk. However debt funding is not precluded as a tool to assist management (within the context of financial prudence, long term planning and sustainability).

3 POLICY STATEMENT

External borrowings will be limited to the funding of significant items of capital expenditure:

- the life of which is expected to exceed the term of any funds borrowed
- that cannot be funded from other sources (Northern Territory Government guidelines require Council to consider the use of internal cash reserves).
- that are within the contexts of affordability, risk and financial sustainability.

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Borrowing Policy 0023.100.E.R		Page 1 of 3
Version: 4	Decision Number	Adoption Date:
Responsible Officer: Chief Financial Officer		Next Review Date:

Electronic version current. Uncontrolled copy valid only at time of printing.



BORROWING POLICY 0023.100.E.R

GOVERNANCE

Items to be funded by new borrowings will normally be identified in the Municipal Plan and Budget for the year in which the funds are proposed to be borrowed, thus undergoing a period of public consultation when the draft Municipal Plan and Budget is released for public comment (this condition may be waived in circumstances where an emergency or urgent situation requires the use of borrowings and there is compliance with all other policy and legal requirements such as Ministerial consent).

For external financial reporting purposes borrowing will be carried in the accounts in accordance with Australian Accounting Standards.

Council will decide whether the funding of capital expenditure should be by way of borrowing, (external or internal) or simply a utilisation of available funds after considering long term financial planning and sustainability.

Borrowings are to be utilised for the purpose for which the loan was raised. Where due to circumstances it is no longer appropriate to use the loan for the original purpose the Council will ensure it complies with all legal requirements for changing that purpose and will advise the Department of Local Government of its intention to do so prior to any decision.

Unexpended loan funds will be placed in a reserve until such time as a suitable use of the funds is identified.

Where a loan was raised by Council to obtain an asset and the loan has not been repaid when the asset is sold, the Council will consider, on the basis of costs and benefits, first applying the proceeds of the sale to the repayment of the loan source.

Additional factors to be considered when Council is considering new borrowings include:

- Obtaining funds on a competitive basis such as in conjunction with the contracts section of Council to minimise costs associated with borrowing and consideration of the structure of any proposed loan (e.g. fixed or variable interest).
- Interest rate and other risks (e.g. liquidity risks and investment credit risks).
- Repayment of debt period to be no longer than the weighted average estimated useful lives of the related assets purchased or 20 years whichever is the lesser.
- Repayment of borrowings to occur at least bi-annually.
- Internal borrowing: Where "internal" borrowing from an existing cash backed reserve occurs in lieu of external financing, Council will consider the appropriateness of internal repayment back to the reserve at the opportunity cost to Council of the funds utilised (e.g. competitive investment interest rates) however this consideration will not preclude the use of higher rates (e.g. external debt rates) or lower rates or interest free internal borrowing and flexible repayment terms not exceeding the life of the assets funded.
- Alternatives to debt.
- Where the borrowings are for commercial or semi commercial purposes, consideration will be given as to whether the return on the investment can service the debt (after consideration of community service obligations and any other objectives).

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BORROWING POLICY 0023.100.E.R

GOVERNANCE

3.1 DEBT SERVICING RATIO

The Debt Servicing Ratio at any time will be dependent on whether Council at that time is adopting:

- a strategy of growth with its supporting infrastructure, technological upgrade or capital intensification of services, or
- alternatively, maintaining the status quo in the provision of services to the community.

An increasing Debt Servicing Ratio should be demonstrated to be financially sustainable (for example through the long term financial plan).

The Debt Servicing Ratio should not exceed 10% (principal plus interest repayments as percentage of total revenue)

4 DEFINITIONS

Nil

5 LEGISLATIVE REFERENCES

Part 10.3 of the *Local Government Act 2019* sets out the requirements for Council borrowing at the time of adopting this policy, with borrowing defined as obtaining 'any form of financial accommodation' (Section 196).

Other than for an overdraft of less than 2% of the Council's total revenue income for the preceding financial year obtained for a term of less than two months and transactions classified as of a 'minor nature' borrowing requires Ministerial approval (Section 197). Borrowings of up to \$200,000 **in total** do not require Ministerial approval.

The Minister has also issued mandatory Guidelines pursuant to S342 of the *Local Government Act 2019* which require a Council to have a Borrowing Policy before any borrowing takes place.

6 PROCEDURES AND RELATED DOCUMENTS

Northern Territory Government Guideline 5: borrowing (current from 2011)

7 RESPONSIBILITY AND APPLICATION

There are no significant implementation issues arising from this reviewed policy.

S40 (3) (b) of the *Local Government Act 2019* requires that if power to incur financial liabilities is delegated the Council must fix reasonable limits on the delegate's authority.

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14.4 REVIEW OF FINANCIAL RESERVES POLICY 0067.100.E.R

Author: Financial Controller

Authoriser: Executive Manager Finance

Attachments: 1. Financial Reserves Policy 0067.100.E.R (tracked changes) [↓](#)
2. Financial Reserves Policy 0067.100.E.R (amended) [↓](#)

RECOMMENDATIONS

1. THAT the report entitled Review of Financial Reserves Policy 0067-100-E.R be received and noted.
2. THAT Council approve the establishment of the Waste Management Remediation Reserve.
3. THAT City of Darwin Financial Reserves Policy No. 0067.100.E.R (current-tracked changes) as provided in **Attachment 1** be rescinded.
4. THAT City of Darwin Financial Reserves Policy No. 0067.100.E.R as provided in **Attachment 2** be endorsed.

PURPOSE

The purpose of this report is to establish the Waste Management Remediation Reserve and update Financial Reserves Policy 0067.100.E.R to incorporate the new reserve.

KEY ISSUES

- Establishment of new reserves must be authorised by Council resolution.
- During the 2022/23 budget workshops it was identified that a Waste Management Remediation Reserve be established.
- Financial Reserves Policy 0067.100.E.R now requires updating to reflect the establishment, purpose and internal management of the newly created Waste Remediation reserve.

DISCUSSION

Council maintains a number of Reserves, both externally and internally restricted. The use and purpose of each reserve is set out in the Financial Reserves Policy 0067-100.E.R

The Local Government (General) Regulations 2021 s11 further provides that a council resolution is required for:

- (a) a transfer to or from council reserves;
- (b) a change in purpose of a council reserve

Waste Remediation Reserve

The need to establish a Waste Remediation Reserve was identified during the 2022/23 budget development. The intention is to segregate from the Waste Management Reserve funds accumulating for site rehabilitation and ongoing post closure costs of the Shoal Bay Waste Management Facility. The establishment of the reserve is in-line with a sustainable financial strategy to allow for adequate provision of future costs of the site.

Council has a legal and constructive liability to rehabilitate the Shoal Bay Waste Management site on closure and monitor and maintain the site 30 years post closure. Examples of the closure and ongoing maintenance costs include cell capping, site improvement works, vegetation management, leachate disposal etc. The liability is a complex end of financial year calculation informed by the Waste Management Whole of Life Model and in accordance with Accounting Standard (AASB) 137 Provisions, Contingent Liabilities & Contingent Assets and AASB Interpretation 1 Changes in Existing Decommissioning, Restoration and Similar Liabilities. In effect the calculation is a best estimate of the current cost to rehabilitate, monitor and maintain the site by discounting the future value back to its net present value (NPV). There is risk in the estimation of the quantum of Councils liability including:

- underlying assumptions in the calculations
- EPA licencing requirements can change
- Whole of Life Modelling is dynamic based on updated information on site requirements.

For the year ended 30 June 2021 waste provisions recognised in the Statement of Financial Position total \$39M.

The future value discount is 'unwound' each year as part of the year end calculation, that is, it is adjusted to reflect the 'timing' change of the discount and cpi assumptions and recognised as a finance (interest) expense in the Income Statement; offset by an increase (in most cases) in the liability provision.

Transfers to/from Waste Remediation Reserve

It is recommended that the 'unwinding of the discount rate' amount is transferred to the Waste Remediation Reserve as part of the year-end adjustments as this reflects the amount required to accumulate annually in the reserve. The transfer will occur in the 2022/23 Financial year and include the discount unwinding from the commencement of Councils provision recognition.

Capital items that have a life that exceed the operational life of the site are considered to be part of the rehabilitation costs. These are items identified in the Whole of Life Model and are removed from the liability when they are constructed. These items when identified and with Council authorisation, can be funded from the Waste Remediation Reserve when required.

Waste Management Reserve – parent reserve

The Waste Remediation Reserve is considered a subsidiary of the parent Waste Management Reserve with all operational income/expenses and most capital transactions captured in the parent reserve in the first instance. Although both reserves are categorised as externally restricted reserves, inter-reserve borrowings between the reserves can occur due to the nexus

of the reserves. Any funds borrowed must be repaid as soon as practicable or within the next Annual Budget cycle as they are required for future remediation costs.	
PREVIOUS COUNCIL RESOLUTION	
Nil	
STRATEGIC PLAN ALIGNMENT	6 Governance Framework 6.3 Decision Making and Management
BUDGET / FINANCIAL / RESOURCE IMPLICATIONS	<p>Budget/Funding: N/A</p> <p>Is Funding identified: N/A</p> <p>Existing Position No: N/A</p> <p>Contractor: N/A</p>
LEGISLATION / POLICY CONTROLS OR IMPACTS	<p>Legislation:</p> <p>Local Government Act 2019 s 207 - Annual financial statement must conform with:</p> <ul style="list-style-type: none"> (a) The Australian Accounting Standards; (b) Any other requirements prescribed by regulation <p>Local Government (General) Regulations 2021 s11 – Reserves</p> <p>a council resolution is required for:</p> <ul style="list-style-type: none"> (c) a transfer to or from council reserves; (d) a change in purpose of a council reserve <p>Policy:</p> <p>Financial Reserves Policy No 067</p>
CONSULTATION, ENGAGEMENT & COMMUNICATION	<p>Engagement Level: Consult</p> <p>Tactics:</p> <p>Discuss with Staff and Management on purpose of Reserves</p> <p>Discuss with Council during the 2022/23 Budget Workshops</p> <p>Internal:</p> <p>Inform appropriate Budget Managers</p> <p>External:</p> <p>N/A</p>
DECLARATION OF INTEREST	<p>The report author does not have a conflict of interest in relation to this matter.</p> <p>The report authoriser does not have a conflict of interest in relation to this matter.</p> <p>If a conflict of interest exists, staff will not act in the matter, except as authorised by the CEO or Council (as the case requires).</p>



1 PURPOSE

This Policy outlines the criteria for the classification of Reserves and establishes the purpose of individual Reserves.

(For internal borrowings from reserves refer to City of Darwin 0023.100.E.R Borrowing Policy.)

2 SCOPE

To promote the sustainable and responsible financial management of City of Darwin through the consistent application of Reserve classifications and identification of individual Reserve funding purposes.

Council has cash backed reserves. Cash backed reserves are funds set aside for future purposes. For example, the replacement of the Council's assets, whether they are plant and equipment or infrastructure. Over the term of Council's Long Term Financial Plan (LTFP), cash backed reserves are used to help smooth out the funding required for major capital projects. Council may also need to provide for the funding of renewing assets that mature and require renewal outside of the LTFP. All of this is considered to align with Council's definition of a sustainable financial strategy:

Council defines a sustainable financial strategy as one which allows for the adequate provision for its programs (including capital expenditure) and services into the future with the intention that there is a predictable trend in the overall rate burden. The aim of Council's financial strategy is to allow for an equitable distribution of the costs of establishing and maintaining council assets and services between current and future ratepayers.

The grants and other contributions held in reserves should be actual funds received and not accruals or debtors raised in lieu of funds to be received at year end.

3 POLICY STATEMENT

3.1 CLASSIFICATION OF RESERVES

3.1.1 Externally Restricted

Reserves that are classified as externally restricted must meet the following criteria:

- there is a legal requirement that governs the use of the funds, or
- if the funds are not utilised for the purpose for which they were received, there is a requirement or obligation to return the funding to its contributor.

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Responsible Officer: Chief Financial Officer		Next Review Date: 11/08/2024

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FINANCIAL RESERVES POLICY 0067.100.E.R

Externally restricted reserves, such as developer contributions, should not be considered for internal borrowing arrangements as there is no empowering legislation to do that.

Council's Reserves that are considered to currently meet this criteria are as follows:

Unexpended Grants and Contributions Reserve

- The unexpended grants reserve holds unspent grants and contributions received that will be applied to a future project or financial year that do not meet the requirements of provision recognition in accordance with AASB 1058 but retain enforceable 'non sufficiently specific performance obligations' (in accordance with AASB 1058).

Waste Management Reserve

- The waste management reserve holds funds for the future development of the Shoal Bay Waste Disposal site to accommodate expected future landfill requirements and to provide for post closure rehabilitation costs of the waste site.
- Reasons for classifying Waste as an externally restricted reserve include; specific rates & charges must be spent for the purposes raised, regional significance, lease agreement requirements as well as other regulatory/environmental legal responsibilities to make good at time of closure and post closure.

Waste Remediation Reserve

- The waste remediation reserve is a subledger of the parent Waste Management Reserve and holds funds for rehabilitation and post closure costs of the waste site.
- The annual calculation of the net present value discount unwinding will be transferred to the reserve at year end.
- The Waste Management Reserve as the parent reserve, may temporarily borrow funds from the Waste Remediation Reserve for short term periods to cover timing of projects. Funds must be returned within the next Annual Budget cycle.

Car Parking Shortfall Reserves

- Car parking shortfall reserves hold contributions from property developers for the provision of car parking and rates in lieu thereof. These contributions are required when developments do not include the provision of sufficient parking anticipated for future parking needs resulting from the development.
- Specific car parking shortfall reserves include:
 - Central Business District (CBD) Car Parking Shortfall Reserve

GOVERNANCE

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Financial Reserves Policy 0067.100.E.R	Page 2 of 8
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Responsible Officer: Chief Financial Officer	Next Review Date: 11/08/2024

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FINANCIAL RESERVES POLICY 0067.100.E.R

- Highway/Commercial Car Parking Shortfall Reserve
- Other Car Parking Shortfall Reserve
- Rate Levy Car Parking Shortfall Reserve

Developer Contribution Reserves

- Each developer contribution plan should be separately accounted for.

For example separate reserves should be kept for each activity and each plan within that activity (eg stormwater plans, road contribution plans and other as required).

Reserves required by legal agreements

- Market Site Development Reserves hold funds in accordance with lease agreements related to market sites including; Mindil, Malak, Nightcliff and Parap. The funds related to each site are to be separately accounted for and used to fund developments and projects at respective market sites.

3.1.2 Internally Restricted

These are created by resolution of Council.

Reserves that are classified as internally restricted usually have the following characteristics:

- there is no legal requirement that governs the use of the funds
- the reserve has been established for some internal purpose, however, if that purpose does not eventuate or Council changes its priorities the funding can be diverted to something else.

Council's Reserves that currently meet this criteria are as follows:

Asset Replacement and Refurbishment Reserve

- Funds reserved for the future maintenance of Council's major assets as well as funds transferred as a result of the Council's policy on allocation of surplus funds Policy No 66, the rules regarding the utilisation of which are generally governed by the principals of that policy.

Carry Forward Works Reserve

- This reserve holds funds relating to works that have not been completed in the current financial year but have been identified to be completed in a future period.

Darwin Entertainment Centre (DEC) Air Conditioning Reserve

- This reserve holds residual funds that were required to be set aside towards the Council share of air conditioning capital costs. As the Council has separated the Darwin Entertainment Centre air conditioning requirements from the Hotel with the significant upgrade of the air-conditioning system finalised, this reserve is now classified as internally restricted.

GOVERNANCE

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Environmental Reserve

- The environmental reserve has been created for future environmental projects relating to Council's Climate Change and Environment action plans and other associated plans.

Plant & Vehicle Replacement Reserve

- The plant replacement reserve holds funds to meet the cost of replacement of plant. The balance is based on the anticipated requirement amount identified in Council's plant replacement program. This reserve is subject to Council's Plant and Equipment Policy.

Off & On Street Car Parking Reserve

- The off and on street car parking reserve holds funds from on and off street car parking operations to allow for the future development of car parking in the CBD.

Darwin Entertainment Centre (DEC) Asset Replacement/Refurbishment Reserve

- Reserve holds funds for capital works at the Darwin Entertainment Centre.

IT Strategy Reserve

- This reserve holds funds for staged computer replacements and upgrades and other associated IT strategic programs.

Nightcliff Community Hall

- Lease agreement specifies 20% income from Nightcliff Community Hall must be transferred to reserve and used to fund projects on the hall.

Disaster Contingency Reserve

- The disaster contingency reserve holds funds to provide for possible insurance and other expenses associated with responding to a natural disaster. The minimum requirement for this fund is to hold \$2M (adjusted by Darwin CPI each year from and including 2020) unless or until the requirements are amended via a formal report and resolution. The reserve balance may fall below the minimum balance if a natural disaster has recently occurred and the funds have been used. The minimum balance will be subsequently replenished in the following annual budget cycle.

Election Expense Reserve

- The election expense reserve holds annual transfers of funds to provide for the cost of holding the next Council election. The annual transfer will accrue at \$130k pa.

Public Art Reserve

- Holds funds as allocated by Council budget and budget review decisions from time to time for the purposes of Public Art.

Street Lighting Reserve

- This reserve was established so that budget savings operations could be reserved to transition the transfer of responsibility for street lighting repairs and maintenance costs from the Northern Territory Government to the Council. Reserve will be closed once funds are exhausted

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FINANCIAL RESERVES POLICY 0067.100.E.R

Sale of Land Reserve

- This reserve holds funds from sale of land proceeds in accordance with Council resolutions as effected.

3.1.3 General Reserves

These reserves are required by the accounting standards and are not necessarily cash backed whereas externally and internally restricted reserves are.

The Asset Revaluation Reserve is the main example of this. This reserve reflects the increments and decrements of Council's fixed assets as a result of revaluations in accordance with Australian Accounting Standards.

3.2 ESTABLISHMENT OF RESERVES

A reserve will be established for any value if there is a legal requirement to do so or a requirement under the accounting standards.

Establishment of new reserves must be authorised by Council resolution.

A reserve will be considered 'inactive' once funds are depleted. The reserve can be reactivated by Council resolution as required.

3.3 TRANSFER OF FUNDS IN AND OUT OF RESERVES

Transfers should be limited to the funding of those projects for which the reserve was specifically created for. Funds held in reserves can be repurposed by Council Resolution, subject to any external/legal restrictions, where it is deemed appropriate or necessary.

For financial management purposes all reserve transfers in and out of each reserve must be detailed separately with any specific constrained funds for projects identified within each reserve.

All transfers must be authorised by a budget emanating from a Council resolution. This can occur during the annual budget process or at any other time by Council resolution.

3.4 ASSESSING ADEQUACY OF RESERVE FUNDS

At least on an annual basis during the preparation of the budget and Long Term Financial Plan, Council will review its forward projections for reserves, borrowings and funding for major projects. All decisions to undertake reserve transfers will take into account projected borrowings and an analysis of the 'best possible use' of available funds.

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3.5 MINIMUM AND CAPPED BALANCE OF RESERVES**3.5.1 Disaster Contingency**

Council endorsed a minimum \$2 million balance for this reserve on Decision No. ORD152/20 on 12/05/2020. The reserve may fall below this balance if a disaster occurs and the funds must be utilised as intended.

3.5.2 Waste Management Reserve and Waste Remediation Reserve

Council will generally aim to price in accordance with its current Waste Strategy and integrated Waste Long Term Financial Plan including reasonable estimates of closure and post closure costs. The balance in the reserve at any time however may vary according to requirements of the Long Term Financial Plan so that ideally at time of closure all Waste loans will be repaid and the funds held in the Waste Remediation reserve will be sufficient with accumulating interest to cover closure and post closure costs.

3.5.3 Plant Replacement Reserve

Council endorsed a minimum \$300,000 balance for this reserve on Decision No. 21\2435 on 29/07/2014.

3.5.4 Other Reserves

Other than externally restricted reserves, all reserves will be subject to a review of adequacy at least on an annual basis. This review will take into consideration the requirements for reserve funding assumed in Council's Long Term Financial Plan. This is particularly relevant for:

- Off & On Street Car Parking Reserve
- Plant & Vehicle Replacement Reserve

As these reserves are used to fund significant asset replacement programs in the Long Term Financial Plan.

3.6 INTEREST ON RESERVE FUNDS

At the end of each financial year, interest will be applied to the following externally restricted reserves:

- Car Parking Shortfall Reserves
- Developer Contribution Reserves
- Unspent Grants & Contributions where the grant agreement specifically states interest must be applied to unspent funds
- Waste Management Reserves

Subject to the requirement for the reserve to reach an approved level, interest will also be applied to the following internally restricted reserves:

- Off & On Street Car Parking Reserve

The interest rate applicable will be the average return on investments for the relevant financial year.

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Interest should be applied to the average reserve balance.

3.7 INTERNAL BORROWINGS FROM RESERVES

Internal borrowings may only occur from internally restricted reserves and not from externally restricted reserves unless this is supported by a change of legislation or between the parent Waste Management Reserve and the subledger Waste Remediation Reserve. In determining whether internal borrowing should occur the criteria in Council's Borrowing Policy should be considered including intended purpose of the funds and term of the loan. Internal borrowings are subject to similar internal requirements to external borrowings including:

- May only be undertaken by resolution of Council
- Disclosure in Municipal Plan or if resulting from a budget variation during the year the decision is to be publicly available.
- Currently the interest rates being applied to internal loans made to the Waste Fund (by way of example) are as per the budget assumption documents (approximates the opportunity cost of lost interest by investing those funds into Waste projects at time of borrowing). However, Council can decide in each case based on the particular merits of any proposal.
- NB there is no requirement for Ministerial approval of internal reserves borrowing.

3.8 REPORTING ON RESERVES

Part 7 (15) (2) (c) of the Local Government (Accounting) Regulations 2014 (NT) requires the Council to disclose all specific purpose reserves in its annual financial statement.

In addition to this reserves are reported on as follows:

- A detailed budgeted Statement of Reserves is included in the Municipal Plan and Long Term Financial Plan
- Monthly financial reporting to Council, where practicable, shall include a detailed statement of the budgeted and projected outcome of reserve transfers against actuals to date for the current financial year. If this is not practicable then the reporting should be quarterly from and including the second quarter of each financial year (ie reporting in the 1st quarter is not essential).

4 DEFINITIONS

Nil

5 LEGISLATIVE REFERENCES

Part 7 (15) (2) (c) of the Local Government (Accounting) Regulations 2014 (NT) requires the Council to disclose all specific purpose reserves in its annual financial statement.

Division 4 (11) Local Government (General) Regulations 2021 subscribes that the following matters require a council resolution to take effect:

- (a) A transfer to or from council reserves;
(b) A change in purpose of a council reserve.

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Division 6 (13) (c) requires the Annual financial statements require a disclosure of all reserves set aside for specific purposes.

6 PROCEDURES AND RELATED DOCUMENTS

For internal borrowings from reserves refer to City of Darwin 0023.100.E.R Borrowing Policy.

7 RESPONSIBILITY AND APPLICATION

This Policy will be implemented by the Executive Finance Manager in consultation with the Chief Financial Officer.

All transfers from reserves including any internal borrowing must be approved by Council by adoption of the budget, budget variations and/or recommendations of specific reports where warranted.

This Policy will be reviewed early in each new term of the Council or as required.

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1 PURPOSE

This Policy outlines the criteria for the classification of Reserves and establishes the purpose of individual Reserves.

(For internal borrowings from reserves refer to City of Darwin 0023.100.E.R Borrowing Policy.)

2 SCOPE

To promote the sustainable and responsible financial management of City of Darwin through the consistent application of Reserve classifications and identification of individual Reserve funding purposes.

Council has cash backed reserves. Cash backed reserves are funds set aside for future purposes. For example, the replacement of the Council's assets, whether they are plant and equipment or infrastructure. Over the term of Council's Long Term Financial Plan (LTFP), cash backed reserves are used to help smooth out the funding required for major capital projects. Council may also need to provide for the funding of renewing assets that mature and require renewal outside of the LTFP. All of this is considered to align with Council's definition of a sustainable financial strategy:

Council defines a sustainable financial strategy as one which allows for the adequate provision for its programs (including capital expenditure) and services into the future with the intention that there is a predictable trend in the overall rate burden. The aim of Council's financial strategy is to allow for an equitable distribution of the costs of establishing and maintaining council assets and services between current and future ratepayers.

The grants and other contributions held in reserves should be actual funds received and not accruals or debtors raised in lieu of funds to be received at year end.

3 POLICY STATEMENT

3.1 CLASSIFICATION OF RESERVES

3.1.1 Externally Restricted

Reserves that are classified as externally restricted must meet the following criteria:

- there is a legal requirement that governs the use of the funds, or
- if the funds are not utilised for the purpose for which they were received, there is a requirement or obligation to return the funding to its contributor.

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Externally restricted reserves, such as developer contributions, should not be considered for internal borrowing arrangements as there is no empowering legislation to do that.

Council's Reserves that are considered to currently meet this criteria are as follows:

Unexpended Grants and Contributions Reserve

- The unexpended grants reserve holds unspent grants and contributions received that will be applied to a future project or financial year that do not meet the requirements of provision recognition in accordance with AASB 1058 but retain enforceable 'non sufficiently specific performance obligations' (in accordance with AASB 1058).

Waste Management Reserve

- The waste management reserve holds funds for the future development of the Shoal Bay Waste Disposal site to accommodate expected future landfill requirements and to provide for post closure rehabilitation costs of the waste site.
- Reasons for classifying Waste as an externally restricted reserve include; specific rates & charges must be spent for the purposes raised, regional significance, lease agreement requirements as well as other regulatory/environmental legal responsibilities to make good at time of closure and post closure.

Waste Remediation Reserve

- The waste remediation reserve is a subledger of the parent Waste Management Reserve and holds funds for rehabilitation and post closure costs of the waste site.
- The annual calculation of the net present value discount unwinding will be transferred to the reserve at year end.
- The Waste Management Reserve as the parent reserve, may temporarily borrow funds from the Waste Remediation Reserve for short term periods to cover timing of projects. Funds must be returned within the next Annual Budget cycle.

Car Parking Shortfall Reserves

- Car parking shortfall reserves hold contributions from property developers for the provision of car parking and rates in lieu thereof. These contributions are required when developments do not include the provision of sufficient parking anticipated for future parking needs resulting from the development.
- Specific car parking shortfall reserves include:
 - Central Business District (CBD) Car Parking Shortfall Reserve

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- Highway/Commercial Car Parking Shortfall Reserve
- Other Car Parking Shortfall Reserve
- Rate Levy Car Parking Shortfall Reserve

Developer Contribution Reserves

- Each developer contribution plan should be separately accounted for.

For example separate reserves should be kept for each activity and each plan within that activity (eg stormwater plans, road contribution plans and other as required). **Reserves required by legal agreements**

- Market Site Development Reserves hold funds in accordance with lease agreements related to market sites including; Mindil, Malak, Nightcliff and Parap. The funds related to each site are to be separately accounted for and used to fund developments and projects at respective market sites.

3.1.2 Internally Restricted

These are created by resolution of Council.

Reserves that are classified as internally restricted usually have the following characteristics:

- there is no legal requirement that governs the use of the funds
- the reserve has been established for some internal purpose, however, if that purpose does not eventuate or Council changes its priorities the funding can be diverted to something else.

Council's Reserves that currently meet this criteria are as follows:

Asset Replacement and Refurbishment Reserve

- Funds reserved for the future maintenance of Council's major assets as well as funds transferred as a result of the Council's policy on allocation of surplus funds Policy No 66, the rules regarding the utilisation of which are generally governed by the principals of that policy.

Carry Forward Works Reserve

- This reserve holds funds relating to works that have not been completed in the current financial year but have been identified to be completed in a future period.

Darwin Entertainment Centre (DEC) Air Conditioning Reserve

- This reserve holds residual funds that were required to be set aside towards the Council share of air conditioning capital costs. As the Council has separated the Darwin Entertainment Centre air conditioning requirements from the Hotel with the significant upgrade of the air-conditioning system finalised, this reserve is now classified as internally restricted.

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- The environmental reserve has been created for future environmental projects relating to Council's Climate Change and Environment action plans and other associated plans.

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- The off and on street car parking reserve holds funds from on and off street car parking operations to allow for the future development of car parking in the CBD.

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Election Expense Reserve

- The election expense reserve holds annual transfers of funds to provide for the cost of holding the next Council election. The annual transfer will accrue at \$130k pa.

Public Art Reserve

- Holds funds as allocated by Council budget and budget review decisions from time to time for the purposes of Public Art.

Street Lighting Reserve

- This reserve was established so that budget savings operations could be reserved to transition the transfer of responsibility for street lighting repairs and maintenance costs from the Northern Territory Government to the Council. Reserve will be closed once funds are exhausted

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Sale of Land Reserve

- This reserve holds funds from sale of land proceeds in accordance with Council resolutions as effected.

3.1.3 General Reserves

These reserves are required by the accounting standards and are not necessarily cash backed whereas externally and internally restricted reserves are.

The Asset Revaluation Reserve is the main example of this. This reserve reflects the increments and decrements of Council's fixed assets as a result of revaluations in accordance with Australian Accounting Standards.

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A reserve will be established for any value if there is a legal requirement to do so or a requirement under the accounting standards.

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3.4 ASSESSING ADEQUACY OF RESERVE FUNDS

At least on an annual basis during the preparation of the budget and Long Term Financial Plan, Council will review its forward projections for reserves, borrowings and funding for major projects. All decisions to undertake reserve transfers will take into account projected borrowings and an analysis of the 'best possible use' of available funds.

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FINANCIAL RESERVES POLICY 0067.100.E.R

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3.5 MINIMUM AND CAPPED BALANCE OF RESERVES**3.5.1 Disaster Contingency**

Council endorsed a minimum \$2 million balance for this reserve on Decision No. ORD152/20 on 12/05/2020. The reserve may fall below this balance if a disaster occurs and the funds must be utilised as intended.

3.5.2 Waste Management Reserve and Waste Remediation Reserve

Council will generally aim to price in accordance with its current Waste Strategy and integrated Waste Long Term Financial Plan including reasonable estimates of closure and post closure costs. The balance in the reserve at any time however may vary according to requirements of the Long Term Financial Plan so that ideally at time of closure all Waste loans will be repaid and the funds held in the Waste Remediation reserve will be sufficient with accumulating interest to cover closure and post closure costs.

3.5.3 Plant Replacement Reserve

Council endorsed a minimum \$300,000 balance for this reserve on Decision No. 21\2435 on 29/07/2014.

3.5.4 Other Reserves

Other than externally restricted reserves, all reserves will be subject to a review of adequacy at least on an annual basis. This review will take into consideration the requirements for reserve funding assumed in Council's Long Term Financial Plan. This is particularly relevant for:

- Off & On Street Car Parking Reserve
- Plant & Vehicle Replacement Reserve

As these reserves are used to fund significant asset replacement programs in the Long Term Financial Plan.

3.6 INTEREST ON RESERVE FUNDS

At the end of each financial year, interest will be applied to the following externally restricted reserves:

- Car Parking Shortfall Reserves
- Developer Contribution Reserves
- Unspent Grants & Contributions where the grant agreement specifically states interest must be applied to unspent funds
- Waste Management Reserves

Subject to the requirement for the reserve to reach an approved level, interest will also be applied to the following internally restricted reserves:

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The interest rate applicable will be the average return on investments for the relevant financial year.

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Interest should be applied to the average reserve balance.

3.7 INTERNAL BORROWINGS FROM RESERVES

Internal borrowings may only occur from internally restricted reserves and not from externally restricted reserves unless this is supported by a change of legislation or between the parent Waste Management Reserve and the subledger Waste Remediation Reserve. In determining whether internal borrowing should occur the criteria in Council's Borrowing Policy should be considered including intended purpose of the funds and term of the loan.

Internal borrowings are subject to similar internal requirements to external borrowings including:

- May only be undertaken by resolution of Council
- Disclosure in Municipal Plan or if resulting from a budget variation during the year the decision is to be publicly available.
- Currently the interest rates being applied to internal loans made to the Waste Fund (by way of example) are as per the budget assumption documents (approximates the opportunity cost of lost interest by investing those funds into Waste projects at time of borrowing). However, Council can decide in each case based on the particular merits of any proposal.
- NB there is no requirement for Ministerial approval of internal reserves borrowing.

3.8 REPORTING ON RESERVES

Division 6(13)(c) of the Local Government (General) Regulations 2021 requires the Council to disclose all specific purpose reserves in its annual financial statement.

In addition to this reserves are reported on as follows:

- A detailed budgeted Statement of Reserves is included in the Municipal Plan and Long Term Financial Plan
- Monthly financial reporting to Council, where practicable, shall include a detailed statement of the budgeted and projected outcome of reserve transfers against actuals to date for the current financial year. If this is not practicable then the reporting should be quarterly from and including the second quarter of each financial year (ie reporting in the 1st quarter is not essential).

4 DEFINITIONS

Nil

5 LEGISLATIVE REFERENCES

Division 4 (11) Local Government (General) Regulations 2021 subscribes that the following matters require a council resolution to take effect:

- (a) A transfer to or from council reserves;
- (b) A change in purpose of a council reserve.

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FINANCIAL RESERVES POLICY 0067.100.E.R

Division 6 (13) (c) requires the Annual financial statements require a disclosure of all reserves set aside for specific purposes.

6 PROCEDURES AND RELATED DOCUMENTS

For internal borrowings from reserves refer to City of Darwin 0023.100.E.R Borrowing Policy.

7 RESPONSIBILITY AND APPLICATION

This Policy will be implemented by the Executive Finance Manager in consultation with the Chief Financial Officer.

All transfers from reserves including any internal borrowing must be approved by Council by adoption of the budget, budget variations and/or recommendations of specific reports where warranted.

This Policy will be reviewed early in each new term of the Council or as required.

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14.5 DRAFT BAGOT PARK MASTER PLAN

Author: Coordinator Recreation & Leisure
Authoriser: General Manager Community
Attachments: 1. Draft Bagot Park Master Plan [↓](#)

RECOMMENDATIONS

1. THAT the report entitled Draft Bagot Park Master Plan be received and noted.
2. THAT Council endorse the draft Bagot Park Master Plan at **Attachment 1** for the purposes of Stage 2 stakeholder and community consultation.
3. THAT the finalised Bagot Park Master Plan be presented to Council for endorsement at a future Council meeting.

PURPOSE

The purpose of this report is to present Council with the 70% completed draft Bagot Park Master Plan for review prior to Stage 2 stakeholder and community consultation.

KEY ISSUES

- Following Stage 1 community and stakeholder consultation, Clouston Associates have prepared the 70% draft Bagot Park Master Plan at **Attachment 1**.
- Key aspects of the master plan include:
 - upgraded car park
 - football change rooms and goal storage
 - tree canopy and environmental buffer
 - shared pathway network
 - community recreation hub and intergenerational play/exercise
 - shared sporting club rooms, toilet facilities and community space
- Stage 2 consultation on the draft master plan is scheduled for 18 – 30 May 2022. Consultation will involve presenting the 70% developed master plan to stakeholders and community for review and feedback to inform the finalisation of the master plan.
- The finalised master plan is scheduled for the Ordinary Council Meeting on 28 June 2022 for endorsement.

DISCUSSION

City of Darwin engaged Clouston Associates to develop a ten-year master plan for Bagot Park. Commencing in December 2021, Clouston Associates identified the opportunities and constraints across the park in a detailed situation analysis. This included current uses of the park, canopy cover, existing recreation facilities, vehicle and pedestrian access, car parking and local recreation trends.

Stage 1 Consultation

True North Strategic Communication were engaged by Clouston Associates to design and implement community and stakeholder consultation. Stage 1 consultation ran from 14 February to 18 March 2022. It focused on engaging with stakeholders, particularly existing users of Bagot Park, and consulting with the wider community, including residents and different community groups who have an interest in one or more of the areas at Bagot Park.

During the consultation 133 online surveys were lodged and 32 written submissions received.

The main themes included:

- traffic management and parking
- greenery
- velodrome
- inclusivity
- connectivity
- safety & security
- support for Football NT's proposal to construct a clubhouse next to the oval.

A comprehensive consultation report was presented to Council on 12 April 2022.

Draft Master Plan

Following consultation, undertaken by True North Strategic Communication, Clouston Associates prepared the 70% draft master plan at **Attachment 1**. The master plan aims to balance the active and passive recreation needs of the local area, while taking into consideration the expectations of stakeholders and community. It proposes limiting infrastructure on the site to retain and enhance the overall environmental performance of the park.

The master plan is based on the following guiding principles:

- A park for all – providing diverse recreational use both organised sport and informal passive recreation. The park will cater for our diverse community and be easily accessible and safe.
- A cool, green park – providing habitat, shading, cooling, water management and plant diversity.
- A connected park – well connected to adjoining community with close integration between the different activity areas.
- A well-managed park – sustainable in long term by addressing ongoing development, management and maintenance.

Key improvements proposed in the draft master plan include:

- Upgraded car park
- Football change rooms and goal storage
- Tree canopy and environmental buffer

- Shared pathway network
- Community recreation hub and intergenerational play/exercise
- Shared sporting club rooms, toilet facilities and community space

Next Steps

Stage 2 consultation on the draft master plan is scheduled for 18 – 30 May 2022. Consultation will involve presenting the 70% developed master plan to stakeholders and community for their review and feedback prior to finalisation.

The finalised master plan is scheduled for the Ordinary Council Meeting on 28 June 2022 for endorsement.

PREVIOUS COUNCIL RESOLUTION

At the 12 April meeting Council resolved:

Bagot Park Master Plan Consultation Outcomes

RESOLUTION ORD001/22

THAT the report entitled Bagot Park Master Plan Consultation Outcomes be received and noted.

STRATEGIC PLAN ALIGNMENT	2 A Safe, Liveable and Healthy City 2.3 By 2030, Darwin residents will be more active and healthy
BUDGET / FINANCIAL / RESOURCE IMPLICATIONS	<p>Budget/Funding: \$100,000 is allocated from the Velodrome Capital Funding Grant to develop the Bagot Park Master Plan.</p> <p>There is no budget allocated for the implementation of the Bagot Park Master Plan.</p> <p>Football NT has committed \$1M from Federal Department of Infrastructure, Transport, Regional Development and Communications. Community Development Grant for the installation of female changeroom and sports facility.</p> <p>City of Darwin allocates \$100,000 per year for actions against the Sports Field Plan.</p> <p>Contractor: Clouston Associates True North Strategic Communication</p>
LEGISLATION / POLICY CONTROLS OR IMPACTS	Nil
CONSULTATION, ENGAGEMENT & COMMUNICATION	<p>Engagement Level: Discuss</p> <p>Tactics:</p> <p>Stage One consultation was held with a broad range of stakeholders and community members as detailed in the Bagot Park Master Plan Consultation Outcomes report presented to Council on 12 April 2022.</p> <p>Stage Two consultation will involve presenting the 70% developed Master Plan to stakeholders and community for their review and feedback prior to the master plan being finalised. Meetings with</p>

	stakeholders and residents are scheduled for 18-30 May 2022.
DECLARATION OF INTEREST	<p>The report author does not have a conflict of interest in relation to this matter.</p> <p>The report authoriser does not have a conflict of interest in relation to this matter.</p> <p>If a conflict of interest exists, staff will not act in the matter, except as authorised by the CEO or Council (as the case requires).</p>



City of Darwin
BAGOT PARK, MILLNER
Draft Master Plan
D21-0059
Issue B • May 2022



BAGOT PARK, MILLNER
DRAFT MASTER PLAN

Client:
City of Darwin

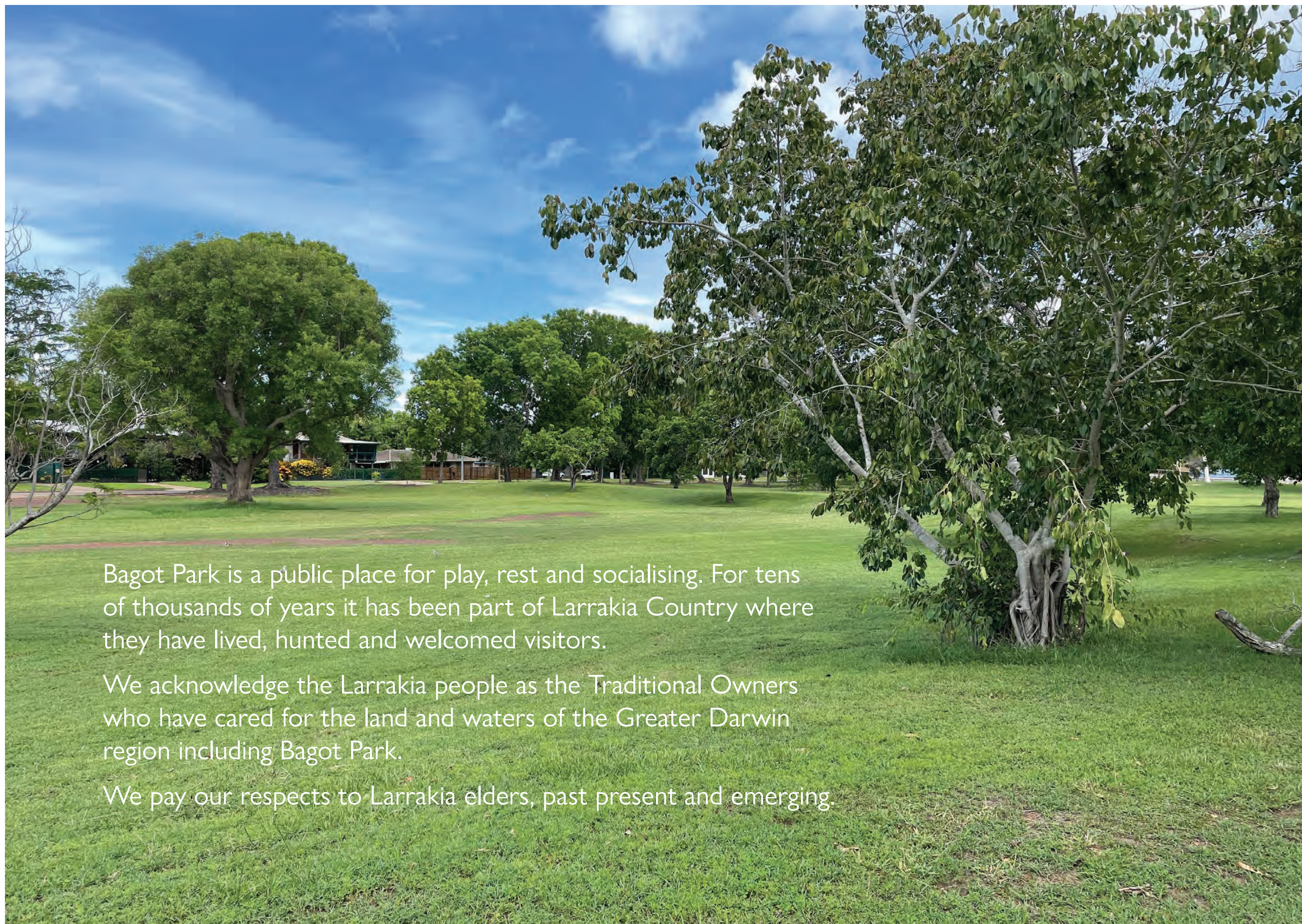
Prepared by

CLOUSTON Associates
Landscape Architects • Urban Designers • Landscape Planners
Level 5, 21 Knuckey Street • DARWIN NT 0800
GPO BOX 1118 • DARWIN NT 0801 • Australia
Telephone +61 8 8941 2450
Contact: Tony Cox
Email • tc@clouston.com.au
Web • www.clouston.com.au

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D21-0059 R01	B	03/05/2022	70%			



Current Site Photo of Bagot Park (Source: Friends of Bagot Park, 2020).



Bagot Park is a public place for play, rest and socialising. For tens of thousands of years it has been part of Larrakia Country where they have lived, hunted and welcomed visitors.

We acknowledge the Larrakia people as the Traditional Owners who have cared for the land and waters of the Greater Darwin region including Bagot Park.

We pay our respects to Larrakia elders, past present and emerging

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Current Site Photo of Bagot Park.



EXECUTIVE SUMMARY

Bagot Park is a valuable open space area that has been the focus for recreation since the 1960's. More recently it has been the focus for football and cycling. Plans to build a competition velodrome on the existing velodrome site highlighted the interests and values the community placed on the Park as a whole. Public discourse and consultation identified apparent competing needs of organised sport and the significant lack of general recreation opportunities within the Park.

The master plan, following extensive consultation with stakeholders and the public, has adopted a whole of park approach that recognizes the important role of both organized sport and general recreation in meeting the health and well-being needs of the Darwin community.

Key issues arising from the consultation included:

- Traffic management and parking
- Velodrome redevelopment
- Greenery and planting
- Inclusivity and connectivity
- Safety and security
- Proposed football facilities

The most highly ranked elements also reflect these concerns and included:

- Storage facilities
- Accessibility
- Playground
- Parking
- Change Rooms
- Pathways
- Safety and security
- Restrooms
- Shade and greenery

The draft master plan was developed to balance the various stakeholder needs and expectations while understanding the context of Bagot Park within the active and passive recreational needs of the immediate area and greater Darwin.



Bagot Park Today.

EXECUTIVE SUMMARY

The master plan is based on four guiding principles:

A *Park for All* – The Park will continue to provide a diversity of recreational uses encompassing both organized sport and informal, passive recreation.
The Park will cater for our diverse community, be easily accessible, safe and provide for intergenerational activities.

A *Cool, Green Park* - The Park will continue to provide valuable environmental services including habitat, shading and cooling, water management and plant diversity.

A *Connected Park* - The Park facilities will be enhanced to ensure it is well connected to the adjoining community and there is close integration between the different activity areas. The pathway network provides simple movement throughout the park and facilities are shared.

A *Well Managed Park* - The Park will be sustainable in the long term by

addressing ongoing development, management and maintenance. The site poses physical limits on the expansion of organized sport on this site and will be balanced with general recreational needs

The **Draft Master Plan** combines community inputs and detailed assessment of recreational requirements to provide a safe and functional district park that meets the immediate needs of the community and allows for flexibility to meet future needs.

The proposed interventions includes limits on infrastructure to retain and enhance the overall environmental performance of the park.

The master plan identifies the desired endpoint for the development and management of Bagot Park over the next 10 years. Implementation of the master plan will be subject to both internal and external funding and budget allocations by the City of Darwin. While priority projects are identified, the master plan allows for an opportunistic response as funds and priorities arise.

High Priority

- Velodrome upgrades (currently underway)
- Football womens/ girls change rooms & goals storage (by Football NT subject to agreed management model)
- Upgraded car parking
- Phase 1 tree canopy and environmental buffer planting
- Phase 1 shared pathway network, including seating and water bubblers (upgraded perimeter paths)
- Community recreation hub including seniors exercising, childrens nature play, 'BigShed' and exercise circuit.

Medium Priority

- Phase 2 tree canopy and environmental buffer planting
- Shared pathway network
- Expanded nature play, scooter and wheels play and reflexology
- New restrooms, club rooms and community meeting space



Bagot Park Today (Source: Mindo Koerber).

THE MASTER PLAN



Overall Master Plan for Bagot Park.

COMMUNITY HUB.

The community hub will be the primary focus for general recreation. It will provide passive and active recreation opportunities for all ages and abilities. The facilities are centralised to allow intergenerational participation and enhance social contact.

The arrangement of the different use areas around the Big Shed will allow future expansion or adaptation over the long term as recreational interests and needs change.

Large areas of this zone are left undeveloped and are characterised by open grass areas. This provides for future flexibility in use.

The play area is focussed on nature play and recognises that the existing fixed equipment playground near the sporting fields still has an effective life of 10+ years.

LEGEND

Park Seating

Circuit Exercise Stations

Drink Fountains

1:500 @A3

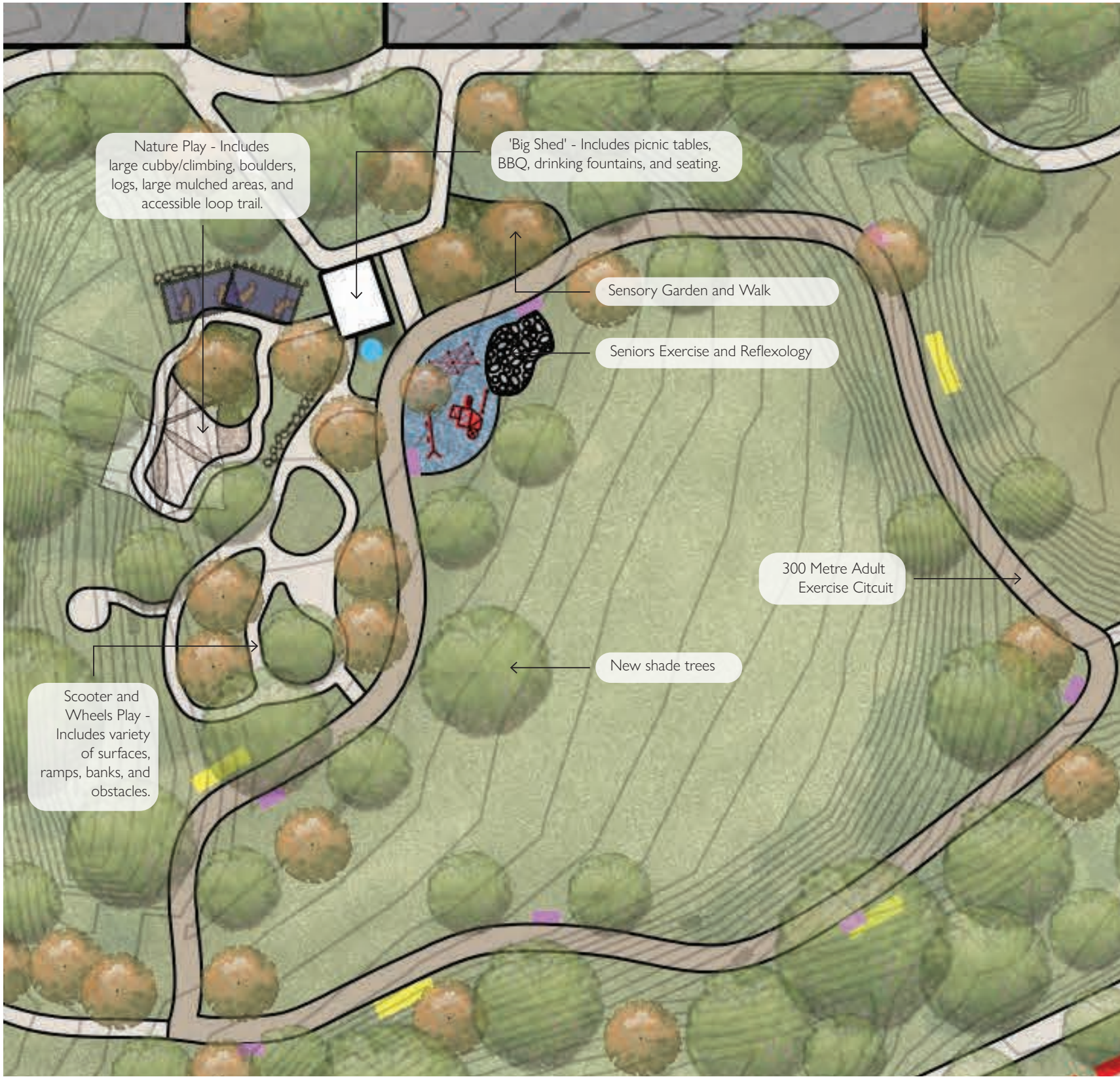
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5

10

15

25m



Community Hub at Bagot Park.

SPORTS HUB.

The sports hub co-locates important sports and community facilities including public toilets, canteen and community rooms. A large undercover area is included to extend shade and usability throughout the year and provides excellent overview to the sports fields.

Fully accessible pathway links are included between the car park and all facilities. Limited vehicle access and parking is provided. This would be managed by the sporting bodies and is intended for specific users, not as a general car park option.

The concentration of these facilities in this location minimises overall infrastructure costs and reduces the visual impact within the park generally.

LEGEND

- 1

Club Room
- 2

Community Room
- 3

Canteen
- 4

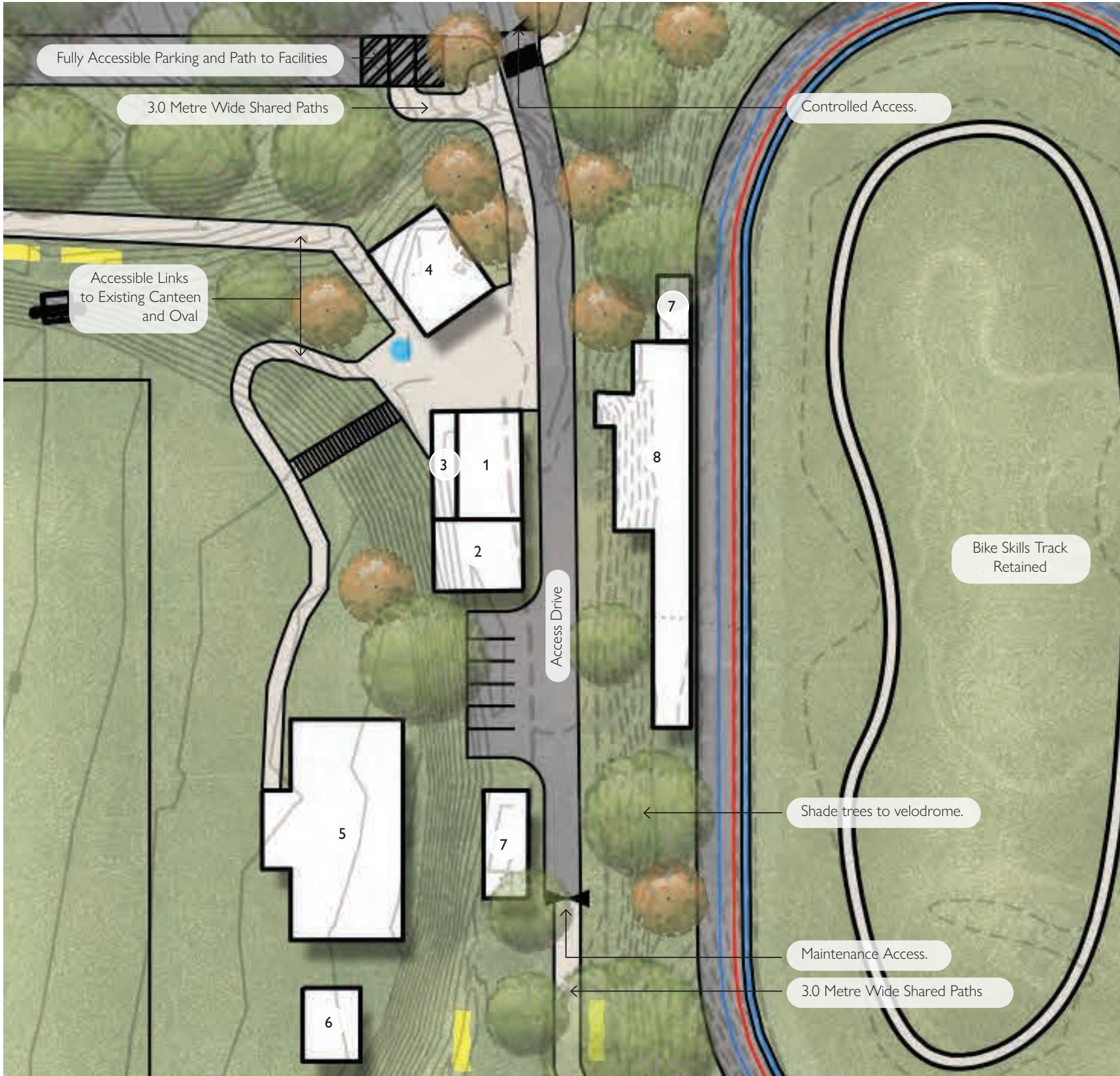
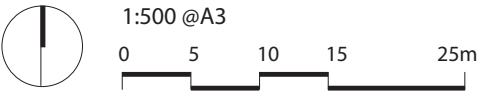
Toilets
- 5

Football NT Womens/Girls Change Rooms
- 6

Portable Goal Posts Storage Area
- 7

Storage Areas
- 8

Upgraded Cycling Shelters and Viewing (by COD 2022)
- Park Seating
- Drink Fountains



Sport Hub at Bagot Park.



CLOUSTON associates

BACKGROUND

Bagot Park has changed use over many years. It was originally a gravel pit that supplied material for the development of Millner and to stabilize Rapid Creek Road, In 1960 the gravel pit was developed as a flat track circuit by the Darwin Motorcycle Club and was officially opened as Bagot Park Speedway in 1966. The speedway eventually closed in 1981.

The land was vested in Council in 1971 and officially named Bagot Park in 1986.

The velodrome was built in the late 1960s and has undergone a number of surface upgrades.

More recently, Bagot Park has been developed as the major venue for junior football and is the home oval for Mindil Aces Football Club.



Bagot Park Speedway - 1961 (Source: Darwin Show Management).



Bagot Park Speedway - 1961 (Source: Darwin Show Management).

OBJECTIVES

The master plan is intended to involve the community and stakeholders in the development of a comprehensive, high level master plan that will guide the future use and management of Bagot Park.

The master plan recognises Bagot Park is a community resource and will balance the needs of the general public, local community and sporting interest groups of football and cycling.

The Bagot Park Master Plan has been developed to guide the future use, development and management of this valuable community recreational resource. The master plan does this through adopting a comprehensive approach to the diversity of needs and interests of users and managers. These need to be balanced with the overall potential and constraints of the site itself.

Arising from earlier proposals and discussions associated with the park, it is apparent that there is great interest in the park. The City of Darwin have identified the following objectives for the preparation of a comprehensive master plan:



Undertake stakeholder and community consultation to understand needs and concerns of existing and potential users.



Resolve access and movement (all abilities access, pedestrians, cyclist, vehicles, maintenance).



Enhance landscaping generally giving consideration to heat mitigation and environmental benefits.



Identify and incorporate supporting infrastructure and park elements to compliment active and passive recreation.



Proposals to align with relevant City of Darwin strategic framework documents.



2.0 Consultation

CONSULTATION

Consultation has been undertaken over a 5 week period in February/ March. A range of techniques were used:

- Marketing of the process through Engage Darwin, local letter box drops, social media, City of Darwin media announcements and direct contact with stakeholders
- Internal workshop with City of Darwin technical staff and managers
- Preparation of Bagot Park Master Plan Fact Sheet, Frequently Asked Questions and Survey
- One-on-one stakeholder meetings
- Visioning Workshop with key stakeholders

The outcome of the consultation was a consolidated report that captured the various issues, concerns, opportunities and constraints, likes and dislikes as shared with the team. This is included at Appendix A.

THE RESPONSE.

- One on One Meetings: 6 Meetings.
- Stakeholder Visioning Workshop: 10 Attendees.
- Online Survey: 133 Responses.
- Written Submissions: 32 Submissions.

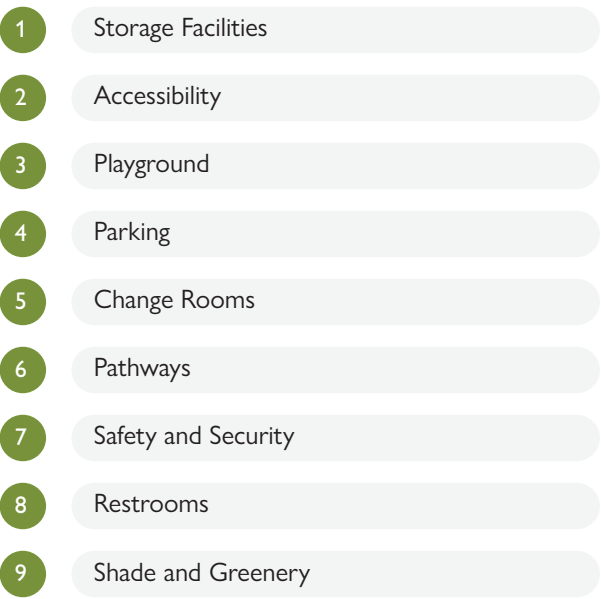
KEY THEMES RAISED DURING THE CONSULTATION.

Traffic Management and Parking	Greenery	Velodrome	Safety and Security	Proposed Football NT Facility	Consultation Process	Connectivity	Inclusivity
<p>Key Concern: Issues with safety/ congestion around busy periods of the weekend.</p> <p>Key Suggestion: Provide additional parking and alternative entry/ exits. Car parks should be shaded.</p>	<p>Key Concern: Protection of existing trees located along McMillans Road and Bagot Road.</p> <p>Key Suggestion: Plant more native species, create more shaded areas, and enhance habitat.</p>	<p>Key Concern: Planned upgrades will not meet competition standards.</p> <p>Key Suggestion: Upgrades suitable for general community use and provides safe cycling environment which could include other general cycling facilities.</p>	<p>Key Concern: Safety and security issues. E.g. Kiosk at Bagot Oval and overnight camping.</p> <p>Key Suggestion: Improved lighting and working with Indigenous organisations to reduce anti-social behaviour.</p>	<p>Key Concern: The location of the facility being too close to residents.</p> <p>Key Suggestion: The clubhouse should not be managed by an individual sporting team, and should be available to the whole community.</p>	<p>Key Concern: Whether feedback would be appropriately considered.</p> <p>Whether there would be a balance of views from all members of the community.</p>	<p>Key Concern: Difficulty to move between spaces safely.</p> <p>Key Suggestion: Connected, shared pathways, a whole of park walking loop, and multi-use facilities.</p>	<p>Key Concern: To create an inclusive space for the whole community.</p> <p>Key Suggestion: Improved access, amenities, and spaces that cater to all.</p>

KEY FINDINGS.



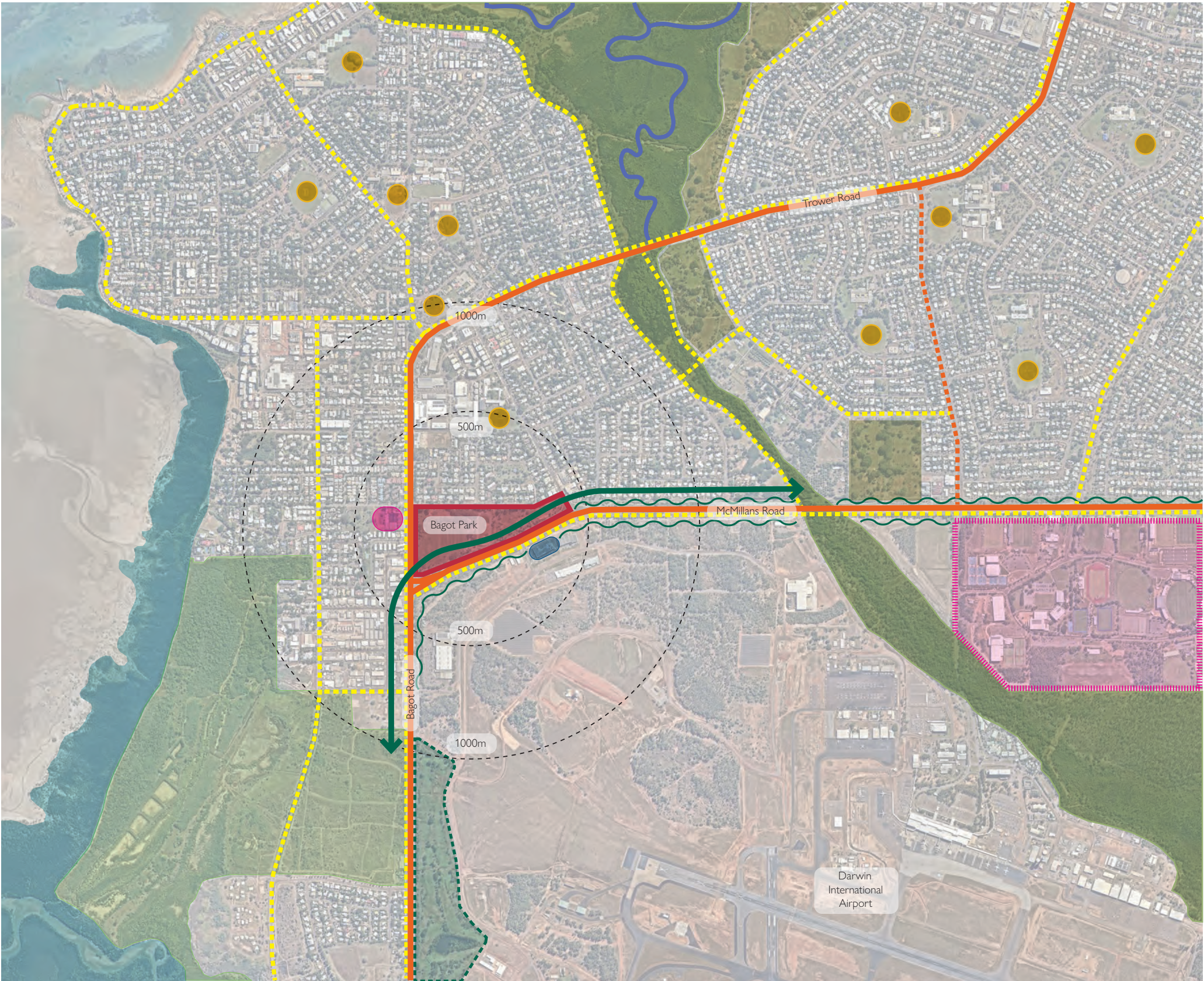
ELEMENTS RANKED TO BE OF MOST IMPORTANCE.



Please Note. Data based on Survey Responses from Bagot Park Master Plan Consultation Report (March 2022).



3.0 Site Overview and Context



REGIONAL CONTEXT.

Bagot Park is a significant open space resource within the northern suburbs providing important active sports facilities for football and cycling. The size and spatial arrangement of the park also has extensive areas that are separate to organised sport.

The park would typically be considered a district park based on size and function.

It is well connected in terms of arterial road links as well as being part of a natural systems link between Rapid Creek corridor Gwalwa Daraniki Lands.

LEGEND

Bagot Park.

ACCESS AND CONNECTIONS.

- Arterial Roads
- Share Path Cycle Routes
- On Road Cycles Lanes

SPORT FACILITIES.

- School Sport Ovals
- Marrara Sports Precinct
- Sports Centre (Tennis, Beach Volleyball, Futsal)
- King Pin Bowling

OPEN SPACE/CONSERVATION.

- Natural Systems Linking Corridor
- McMillans Road (Landscape Buffer)
- RAAF Base Golf Course
- Open Space Areas (Including Jingili Water Gardens, Nightcliff Foreshore, Alawa Ovals, Darwin General Cemetery)
- Fannie Bay Mangroves
- Rapid Creek
- Rapid Creek Corridor
- Gwalwa Daraniki Lands



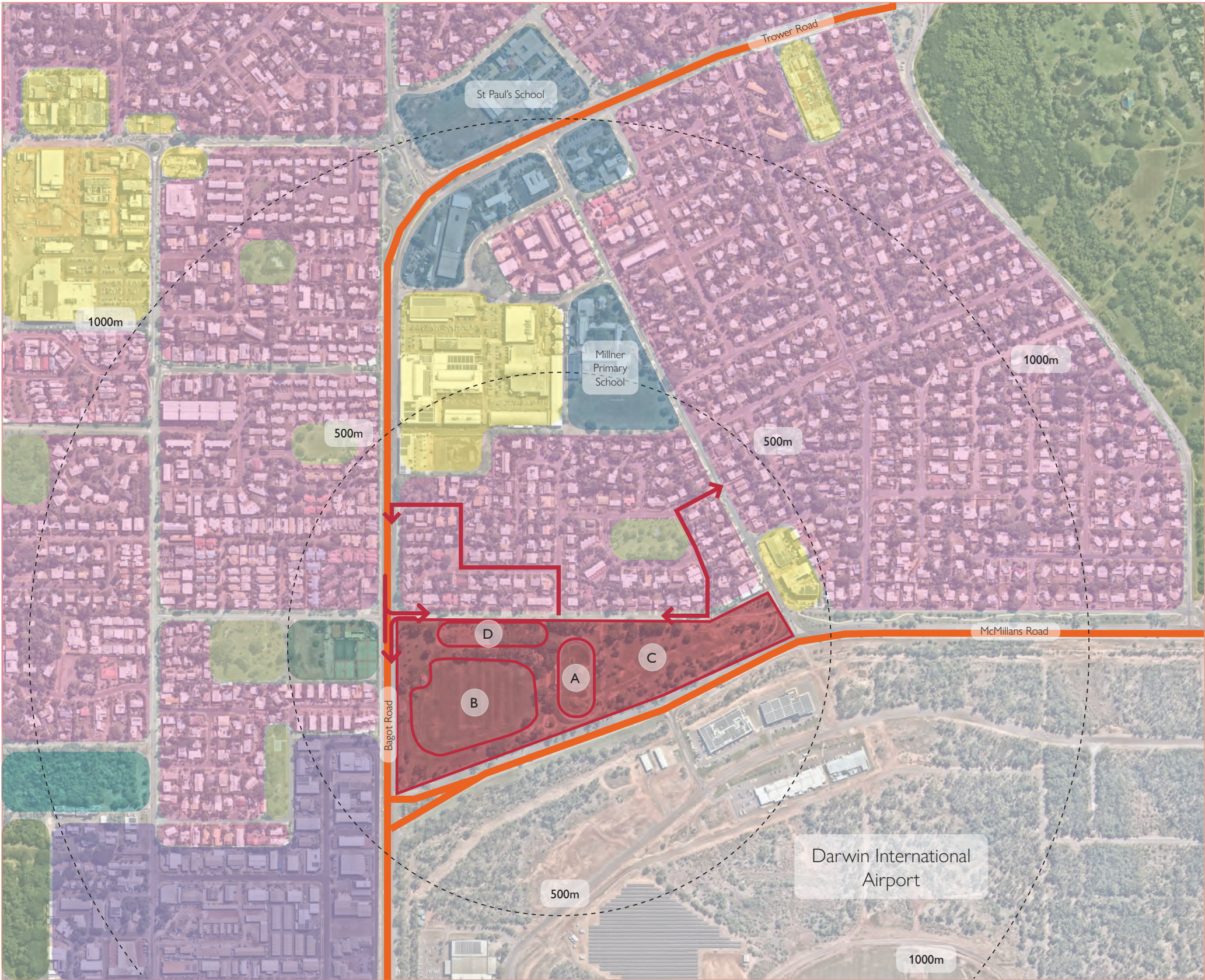
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BAGOT PARK, MILLNER
Regional Context

Figure 3.1

D21-0059



LOCAL CONTEXT.

Bagot Park occupies a site that has a primary residential catchment to the north (Millner) and the west (Coconut Grove). Along with nearby schools this represents a large residential catchment that is expected to increase with ongoing densification as outlined in the Darwin Mid Suburbs Area Plan prepared by the NT Planning Commission.

Pedestrian and cycle access from the west is limited to the traffic controlled crossing at Bagot/ McMillan intersection. Current users from the area of the commercial and retail areas in Coconut Grove and the airport areas are very limited.

The park is part of a broader open space network and the major open space in the area. It will remain a key aspect of the open space network in the district and will need to satisfy a diversity of recreational needs along with the current active sports.

LEGEND

- Bagot Park
- Site Vehicle Entry/Exits
- Arterial roads

BAGOT PARK ACTIVITY ZONES.

- A Cycling
- B Football
- C Parkland
- D Parking

LAND USES.

- R Residential Areas
- S Schools
- AC Activity Centres and Commercial Areas
- I Industrial and Service Commercial Areas
- CP Community Purpose
- OR Organised Recreation
- OP Public Open Space
- E Environment and Heritage



Client:
City of Darwin



BAGOT PARK, MILLNER

Local Context

Figure 3.2

D21-0059



4.0 Opportunities and Constraints

PEDESTRIAN AND CYCLE MOVEMENT

Bagot Park is well linked to existing shared paths along McMillans Road and Bagot Road. These two routes provide convenient cycle access to the northern suburbs and the inner suburbs of Darwin. The path along McMillans Road is 2.4m wide concrete.

The shared path along Bagot Road is on the western verge and is approximately 3m width. It is accessed from Bagot Road via a pedestrian controlled crossing

The path running along Bagot Road within Bagot Park is a poor quality bitumen path and is approximately 1.4m width.

The path running within the Old McMillans Road easement and linking through to Sabine Road is 1.2m wide and is a combination of bitumen and concrete. Adjacent to the car park area it is in very poor condition and is often obstructed by parked cars as well as gravel and soil debris covering it.

It is desirable that these park perimeter paths should all be good quality shared paths and a minimum width of 2.5m and preferably 3.0m. The 3.0m width allows the path to also function as a suitable maintenance vehicle path. This would also be in accordance City of Darwin Shared Path & Bicycle Lane Technical Notes 12. *Shared Path & Bicycle Lane Widths – Minimum & Desirable*

Within the park itself, the only pathways are access paths to the existing canteen and linking the canteen and toilet block. These paths are narrow at 1.2m width and are otherwise compliant in respect of grades. The absence of paths is a significant gap in the park. Additional internal paths are needed to provide better access as well as provision of various recreational and active movement opportunities. Generally, paths should be minimum 1.8m width, but could be up to 3.0m subject to anticipated use and maintenance requirements.



Figure 4.1 Existing Pedestrian and Cycle Movements at Bagot Park.

CARS AND PARKING

Vehicle access to Bagot Park is from Old McMillans Road. This is either right/ left turn in from Bagot Road or via Tong Luck Street and Chin Street from Sabine Road. Egress utilizes the same routes. People exiting the site do also utilise local streets (Brayshaw – Shoobridge – Harris) to access Bagot Road (left hand turn) and then utilize the right hand turn lane at Old McMillans Road to access Coconut Grove/ Nightcliff area or to make a u-turn.

Old McMillans Road provides 3 crossovers into the current car park area and there is an additional 2 crossovers. There is no direct access into the park from either Bagot Road, McMillans Road, or Sabine Road.

A previous traffic impact assessment and road safety audit undertaken for Council as part of the consideration of the velodrome upgrades in December 2019. It considered the projected future traffic as the result of all of the potential developments in the area including the velodrome upgrades. It confirmed the existing road network capacities were adequate.

The assessment recommended a yellow no-stopping line be provided along the Bagot Park side of Old McMillans Road between Bagot Road and Brayshaw Crescent to maintain two clear traffic lanes at all times.

The assessment did confirm that car parking expected as the result of the projected developments would exceed the capacity of the proposed new car park (Cardno concept design DC1702-C2-C03/A with 242 including 4 disabled space capacity). Car parking numbers identified in the report was well below actual peak counts undertaken on consecutive Sunday mornings by FNT which had totals up to 430 cars.



Existing Car Park at Bagot Park.

CARS AND PARKING

Car parking on site comprises a poorly constructed sealed car park associated with the football pitches as well as widespread informal parking around the velodrome and on adjoining streets. This results in dust, erosion and inconveniences to residents.

Car parking capacity is a major challenge for Bagot Park. This is a common issue for district/ regional sports facilities across Australia and travel distances are often too long for active transport or there is poor public transport. Peak parking demand is rarely satisfied and ultimately would be detrimental to the entire Park.

Extending car parking and possible new roads across the park and linking with McMillans Road have been discussed. This is not recommended for a number of reasons:

- Overall reduction in amenity and community value for the park, will requiring a significant capital input to meet occasional peak loads
- Any roadway link with McMillans Road would also link to Old McMillans Road, effectively splitting the park in half and introducing a traffic safety issue for park users. The link could also become a 'rat run' link for residents and general traffic
- With the opportunity for night games, there is greater flexibility in reducing peak loads through programming

There are options for spreading the car parking and providing additional formalized parking. Any car park design should consider porous paving type construction and extensive shading through tree canopy with the purpose of reducing heat loads and stormwater run-off.



Figure 4.2 Vehicle and Car Parking Opportunities at Bagot Park.

ADJOINING STREETS

McMillan Road and Bagot Road are major barriers to visitors from the south and west. Pedestrian and cycling crossings are limited to the traffic light controlled crossing at the SW corner of Bagot Park. These road reserves provide an excellent opportunity to provide good connections for pedestrians and cyclists.

Old McMillan's Road is the main access route to the park. It is a secondary collector. The traffic assessment and safety audit generally confirmed the road has sufficient capacity for future uses. At present, facilities for pedestrians and cyclists along this road are poor.

All roads do add to the number of 'eyes on the park' which can enhance safety for users



Figure 4.3 Adjoining Streets of Bagot Park.

AMENITY, COOLING AND SHADING

Some areas of Bagot Park are well shaded and have large established trees. Many of the large trees are mahoganies and Gmelinas. These are concentrated in and around the football ovals and car park. Many large trees were lost in Cyclone Marcus in 2017 and have been replaced with recent plantings.

The overall canopy cover across the park is poor. Inappropriate tree selection for the current conditions has resulted in them not performing to their full potential. This in combination with bare dusty areas, informal parking, and a large car park area comprising breaking up gravel and bitumen presents poorly.

The ovals and immediate surrounds are fully irrigated. Good tree cover, a playground in good condition and other site facilities provides a high level of amenity associated with the football ovals.

Visitor facilities, cool surfaces and significant improvements in the canopy cover would greatly improve the overall amenity of the park. This is a significant shortfall in the Park.



Figure 4.4 Existing Sun and Shade Spots at Bagot Park.

NATURAL SYSTEMS AND HABITAT

The existing canopy cover is a combination of native and exotic trees. These are the main source for habitat. The rest of the park is grass (irrigated and non-irrigated) and bare or paved surfaces which provide limited habitat. Despite this, the park does support resident and visitor birds and reptiles.

Bagot Park occupies an important area of land within and adjacent to Rapid Creek and Ludmilla Creek catchments. It has the potential to be a valuable environmental link between the two by extending canopy cover and habitat value. This would include links along McMillans and Old McMillans Roads, Bagot Raod, the Airport and Gwalwa Daraniki lands.



Figure 4.5 Opportunities for Natural Systems at Bagot Park.

ACTIVE RECREATION (ORGANISED SPORT)

The two key organized sports at Bagot Park are football and cycling. These are discussed individually below.

FOOTBALL.

The ovals are well used for training and competition by clubs and community members. It is the home ground for Mindil Aces Football Club. While the main season is during the dry season, informal use continues through the wet season. The current oval arrangement means the facility is often at peak use. Two of the junior ovals are not in the preferred N-S alignment.

With the addition of lights, the ability to program more extensive use and reduce peak loads. The lighting level of 200Lux means the oval is not suitable for Premier League matches.

The Club, with assistance from Football NT, currently have a proposal to develop a women/ girls change facilities that would also cater for referees and medical.

Future needs would include club rooms (also functioning as community rooms), purpose built storage, and upgraded public toilets.

CYCLING.

The velodrome is being refurbished (track surface, boundary fencing, lighting upgrades and adjoining shelter). The facility is a general community facility and not considered a fit for purpose competition track by the Darwin Cycling Club. The internal area contains a bike skills track which comprises temporary measures.

The facilities are well used by triathlon (juniors, seniors and the general public) and this is expected to continue and potentially increase following the refurbishment works.



Figure 4.6 Existing Organised Sport at Bagot Park.

PASSIVE RECREATION

Currently there are limited passive recreation facilities within the park. The main facility is the children’s playground. The playground was assessed in February 2020. It is identified as a district level playground targeting mixed ages. It includes a large shade structure and adjoining trees that provide good afternoon shade. Key issues are poor accessibility, not well connected within the overall park, no support facilities and not inclusive (age and ability). It is a standard fixed play area with limited ‘risky’ or adventurous elements. The playground is heavily used during football use periods due to proximity to ovals. It has a realistic life span of 10 – 15 years.

For maintenance reasons, a single consolidated playground. The current playground is not well located for overall park users. A more central location should be considered when the existing playground is due for replacement/ upgrade.

Additional play opportunities should also consider scooter/ wheeled activity area, nature play and all ages activities including adult and senior exercise and reflexology paths would add value. These should be jointly located to enhance intergenerational use and socialising.

Other passive recreation facilities are limited to the perimeter pathway network of which sections are in poor condition and unsafe. A greatly extended pathway network is required and will effectively activate sections of the park currently little used.

The toilet block is generally locked and not available to the public. The various sporting organisations have keys and open them up when required. There are no water bubblers, general shelters or picnic facilities. Seating is limited to a benches under the canteen roof and others along the top of the bank overlooking the ovals. Small seating stands are also associated with the velodrome and on the eastern embankment of the ovals.

The park should include additional seating, water bubblers and general picnic facilities.



Figure 4.7 Existing Passive Recreation Facilities at Bagot Park.

SUPPORT INFRASTRUCTURE

The Park has power, water and sewerage connections adequate for the current requirements. These are indicated on the plan.

Stormwater relies on extensive sheet flow. Much of this flows into the adjoining streets and is then picked up by the road stormwater system. There are 3 stormwater inlets within the park that connect via underground pipes into the street network. The inlet in the vicinity of the pump shed has a low retaining wall that acts as a small weir.

There is ongoing erosion of the many bare areas that are traversed by vehicles. Much of this collects at the western end of the car park.

- 1 MSB-1. Electrical Switchboard and Irrigation Pump Shed.
- 2 MSB-2. Electrical Switchboard Adjacent Sub-Station 2920. Contains meters and CTs, providing power to Velodrome, Mindil Aces Canteen Toilet Block and Bike Storage Building.
- 3 750kVA Substation 2920.
- 4 High Voltage Rino Main Unit
- 5 Football Club Canteen
- 6 Football Club Storage
- 7 Toilet Block
- 8 Cycling Club General Storage
- 9 Cycling Club Bike Storage



Figure 4.8 Existing Support Infrastructure at Bagot Park.



5.0 Master Plan Intent

MASTER PLAN PRINCIPLES



A PARK FOR ALL

The Park will continue to provide a diversity of recreational uses encompassing both organized sport and informal, passive recreation. Football and cycling will continue to be an important use of the site providing regional facilities that are accessed by the residents of the Greater Darwin Region and beyond. Passive recreation facilities are equally important and will support active live and overall community health and well-being outcomes.

The Park will cater for our diverse community, be easily accessible, safe and provide for intergenerational activities.



A COOL, GREEN PARK

The Park will continue to provide valuable environmental services including habitat, shading and cooling, water management and plant diversity. These functions will support community use and add to the overall sustainability of Darwin



A CONNECTED PARK

The Park facilities will be enhanced to ensure it is well connected to the adjoining community and there is close integration between the different activity areas. The pathway network provides simple movement throughout the park and facilities are shared and multi-functional wherever possible.



A WELL MANAGED PARK

The Park will be sustainable in the long term by addressing ongoing development, management and maintenance. The site poses physical limits on the expansion of organized sport on this site and will be balanced with general recreational needs. The Master Plan recognizes that recreational needs will change over time and so low key levels of development allows flexibility for future needs.

The Master Plan has identified a staged sequence for built infrastructure to allow logical transformation while maintaining existing uses. Aspects of tree canopy cover and planting generally will adopt and urban forest approach that maintains long term health and viability.



6.0 Master Plan

OVERVIEW

The draft master plan combines community inputs and detailed assessment of recreational requirements to provide a safe and functional district park that meets the immediate needs of the community and allows for flexibility to meet future needs.

The proposed interventions includes limits on infrastructure to retain and enhance the overall environmental performance of the park.

The master plan identifies the desired endpoint for the development and management of Bagot Park over the next 10 years. Implementation of the master plan will be subject to both internal and external funding and budget allocations by the City of Darwin. While priority projects are identified, the master plan allows for an opportunistic response as funds and priorities arise.

High Priority

- Velodrome upgrades (currently underway)
- Football womens/ girls change rooms & goals storage (by Football NT subject to agreed management model)
- Upgraded car parking
- Phase 1 tree canopy and environmental buffer planting
- Phase 1 shared pathway network, including seating and water bubblers (upgraded perimeter paths)
- Community recreation hub including seniors exercising, childrens nature play, 'BigShed' and exercise circuit.

Medium Priority

- Phase 2 tree canopy and environmental buffer planting
- Shared pathway network
- Expanded nature play, scooter and wheels play and reflexology
- New restrooms, club rooms and community meeting space



Figure 5.1 Overall Master Plan for Bagot Park.

CLOUSTON associates

THE MASTER PLAN



Figure 5.2 The Master Plan for Bagot Park.

PEOPLE MOVEMENT



Figure 5.3 People Movement at Bagot Park.

VEHICLE MOVEMENT

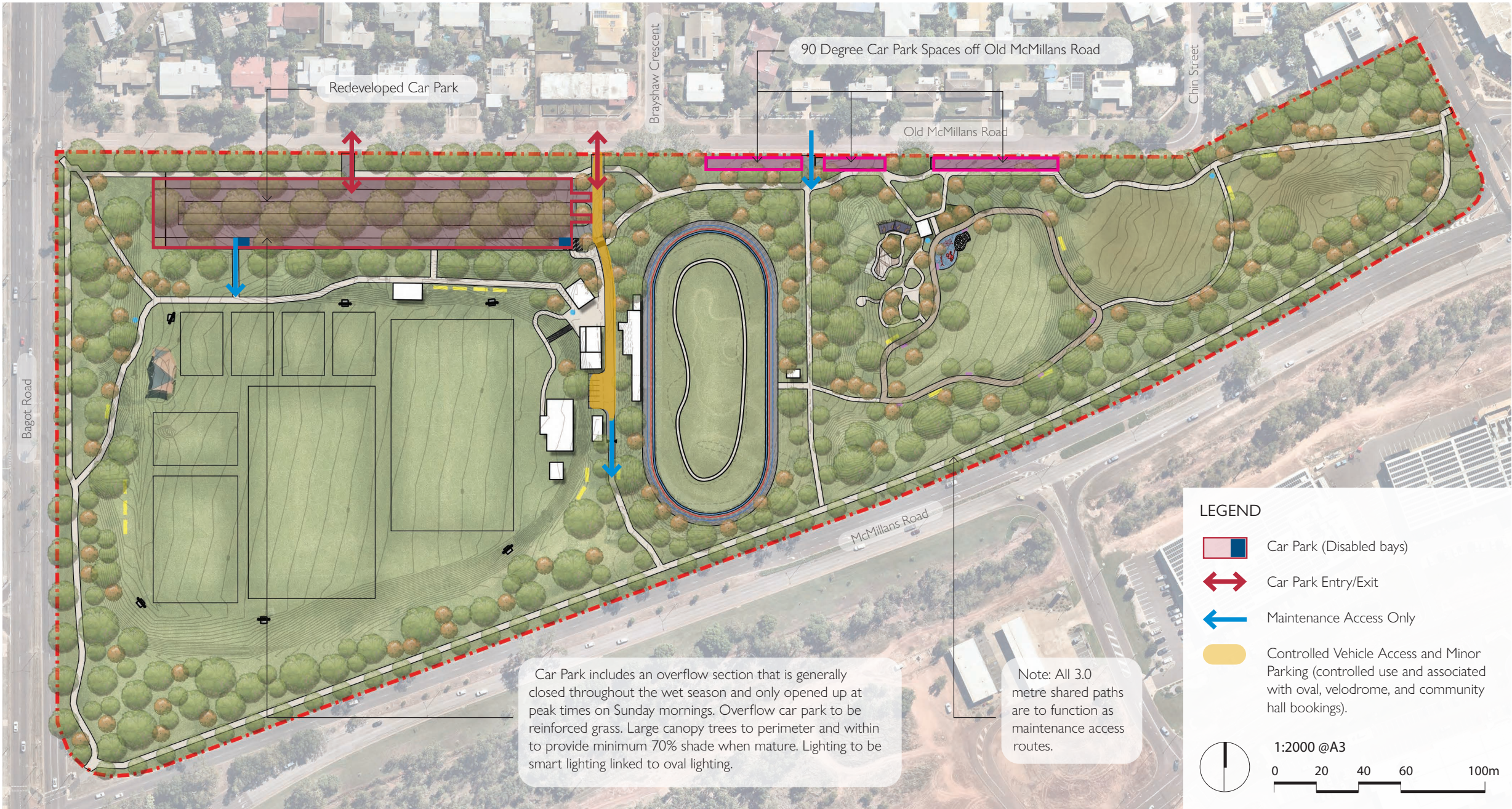


Figure 5.4 Vehicle Movement at Bagot Park.

TREES AND SHADING



Figure 5.5 Vegetation at Bagot Park.

RECREATION FACILITIES



Figure 5.6 Recreation Facilities at Bagot Park.

COMMUNITY HUB.

The community hub will be the primary focus for general recreation. It will provide passive and active recreation opportunities for all ages and abilities. The facilities are centralised to allow intergenerational participation and enhance social contact.

The arrangement of the different use areas around the Big Shed will allow future expansion or adaptation over the long term as recreational interests and needs change.

Large areas of this zone are left undeveloped and are characterised by open grass areas. This provides for future flexibility in use.

The play area is focussed on nature play and recognises that the existing fixed equipment playground near the sporting fields still has an effective life of 10+ years.

LEGEND

Park Seating

Circuit Exercise Stations

Drink Fountains

1:500 @A3

0

5

10

15

25m

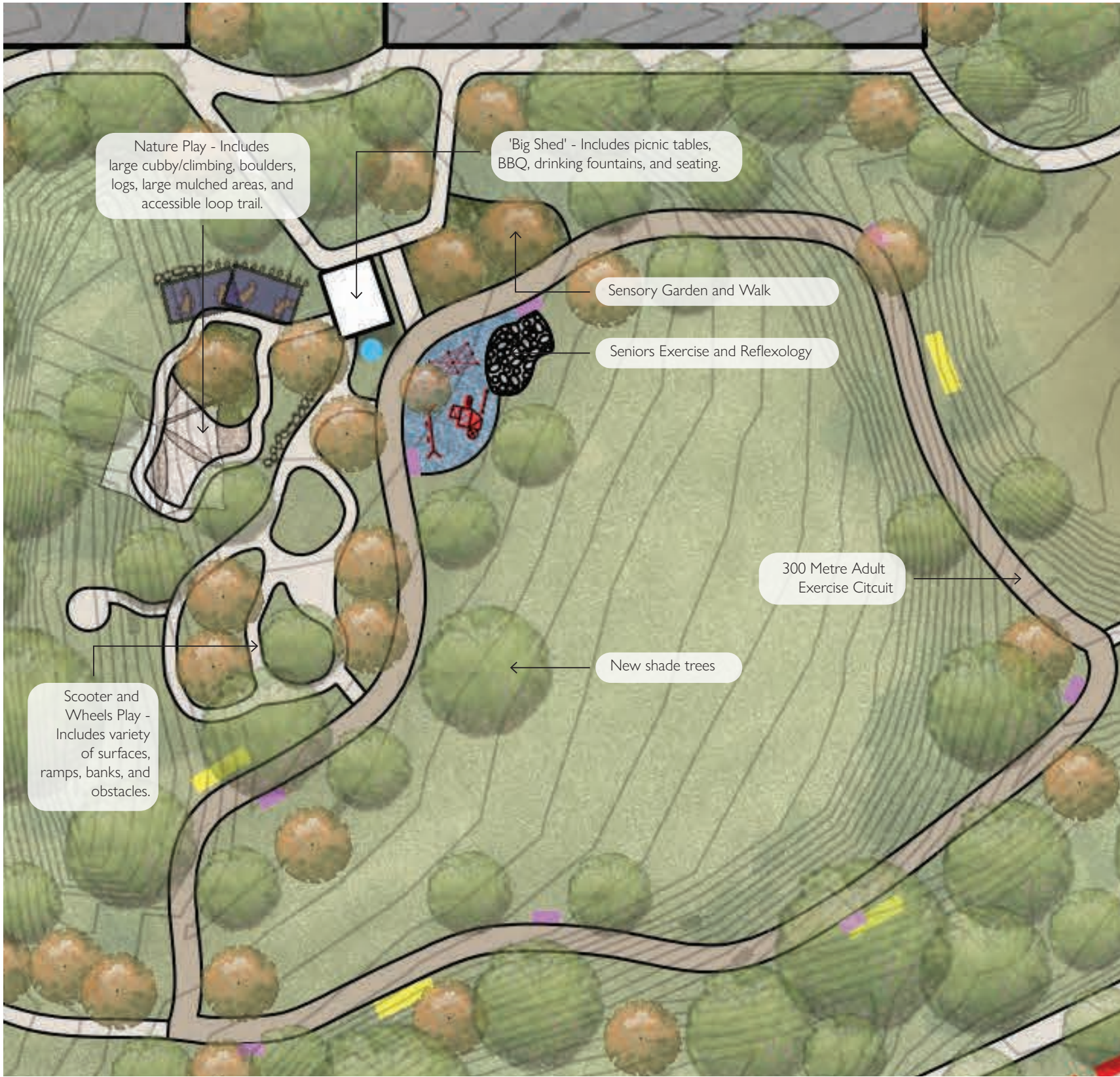


Figure 5.7 Community Hub at Bagot Park.

SPORT FACILITIES



Figure 5.8 Sport Facilities at Bagot Park.

SPORTS HUB.

The sports hub co-locates important sports and community facilities including public toilets, canteen and community rooms. A large undercover area is included to extend shade and usability throughout the year and provides excellent overview to the sports fields.

Fully accessible pathway links are included between the car park and all facilities. Limited vehicle access and parking is provided. This would be managed by the sporting bodies and is intended for specific users, not as a general car park option.

The concentration of these facilities in this location minimises overall infrastructure costs and reduces the visual impact within the park generally.

LEGEND

- 1

Club Room
- 2

Community Room
- 3

Canteen
- 4

Toilets
- 5

Football NT Womens/Girls Change Rooms
- 6

Portable Goal Posts Storage Area
- 7

Storage Areas
- 8

Upgraded Cycling Shelters and Viewing (by COD 2022)
- Park Seating
- Drink Fountains

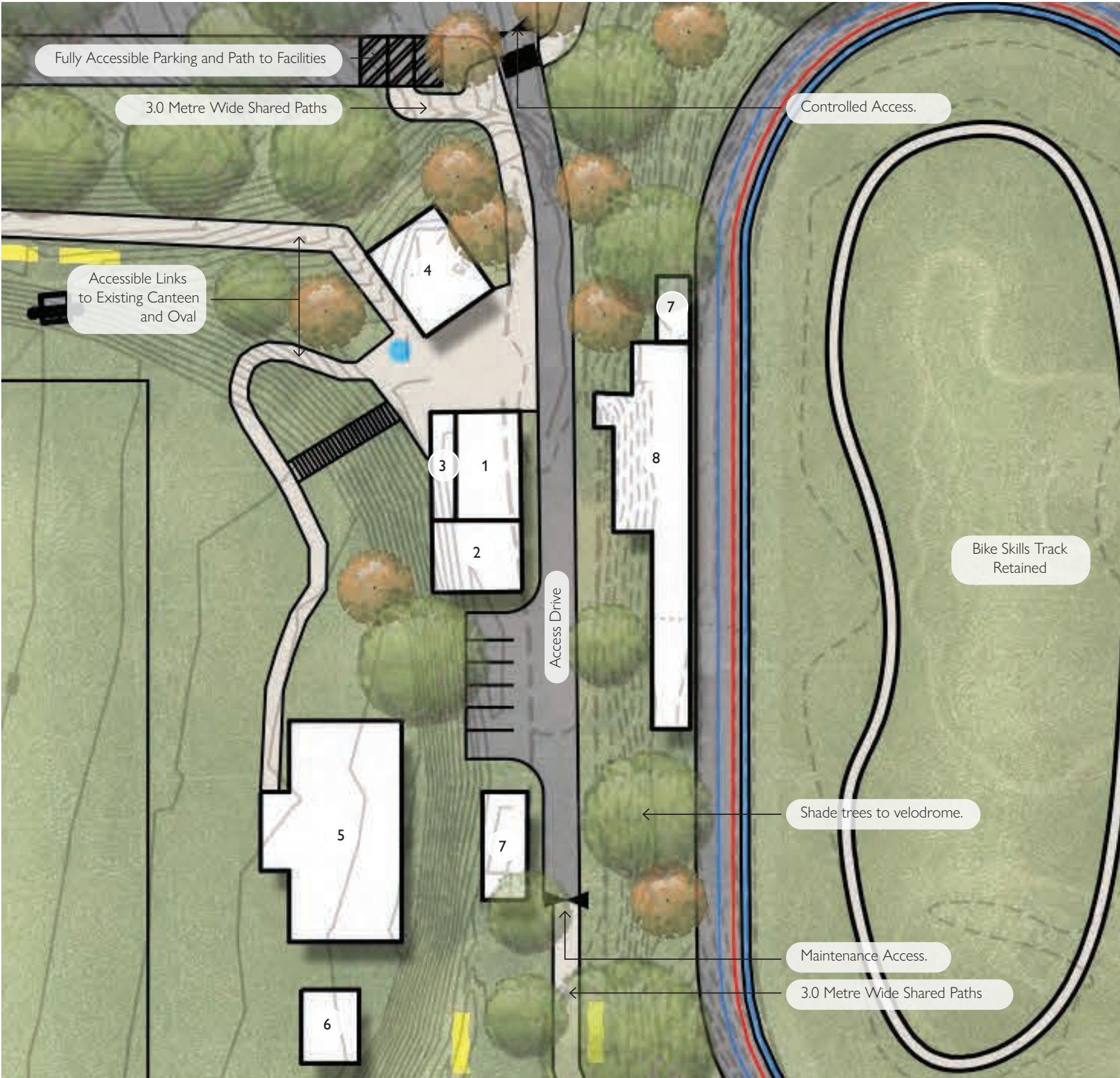
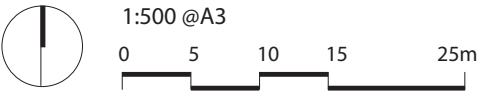


Figure 5.9 Sport Hub at Bagot Park.



Client:
City of Darwin

CLOUSTON Associates
Landscape Architects • Urban Designers • Landscape Planners
Level 5, 21 Knuckey Street • DARWIN NT 0800
GPO BOX 1118 • DARWIN NT 0801 • Australia
Telephone +61 8 8941 2450
Contact: Tony Cox
Email • tc@clouston.com.au
Web • www.clouston.com.au

15 RECEIVE & NOTE REPORTS

Nil

16 REPORTS OF REPRESENTATIVES

17 QUESTIONS BY MEMBERS

18 GENERAL BUSINESS

18.1 INCOMING CORRESPONDENCE - DEPARTMENT OF TERRITORY FAMILIES, HOUSING AND COMMUNITIES - MANAGEMENT TRANSFER OF PUBLIC HOUSING TENANCIES TO COMMUNITY HOUSING PROVIDERS

Author: Governance Business Partner

Authoriser: Interim Chief Executive Officer

Attachments: 1. Management Transfer of Public Housing Tenancies to Community Housing Providers [↓](#)

RECOMMENDATIONS

THAT the Incoming Correspondence – Department of Territory Families, Housing and Communities – Management Transfer of Public Housing Tenancies to Community Housing Providers be received and noted.



Department of
TERRITORY FAMILIES,
HOUSING AND COMMUNITIES

Office of the Chief Executive
Level 7, Darwin Plaza
41 Smith Street Mall
DARWIN NT 0800

Postal address
PO Box 37037
WINNELLIE NT 0821

E ken.davies@nt.gov.au

T 08 8999 2749

Ms Simone Saunders
Interim Chief Executive Officer
Darwin City Council
DARWIN NT 0801

File reference: HCD2021/06070-13-004

Via email: simone.saunders@darwin.nt.gov.au

Simone,

Dear Ms Saunders

MANAGEMENT TRANSFER OF PUBLIC HOUSING TENANCIES TO COMMUNITY HOUSING PROVIDERS

I write to inform you that the Department of Territory Families, Housing and Communities (the Department) is planning to transfer approximately 250 public housing dwellings in Karama, Millner and Moil to a Community Housing Provider (CHP) in the coming months.

This initiative delivers on the Northern Territory Government's vision of creating a new beginning for social and affordable housing in the Territory including our commitment to grow the community housing sector.

There are currently 10 registered CHPs in the Northern Territory, collectively managing more than 1,000 properties under the National Regulatory System for Community Housing. The Department today released an Expression of Interest (EOI) to identify a CHP to take on the long-term management of the dwellings.

The Department will ensure the Darwin City Council is informed throughout this process including once the outcome of the EOI process is known and the dwellings identified for transfer confirmed.

This is an exciting new area of partnership with the potential to deliver significant benefits to social and affordable housing tenants and the residents of Karama, Millner and Moil.

If you have any questions please contact Brent Warren, Deputy Chief Executive Office Housing on 8999 2817 or brent.warren@nt.gov.au.

Yours sincerely

Ken Davies PSM
Chief Executive Officer

27 April 2022

Dear Simone, we will ensure we keep the Lord Mayor and Darwin City Council apprised as the transfer process is undertaken.
Kind regards,
Ken

18.2 INCOMING CORRESPONDENCE - DEPARTMENT OF INFRASTRUCTURE, PLANNING AND LOGISTICS - ROAD SAFETY IN THE DARWIN MUNICIPALITY

Author: Governance Business Partner

Authoriser: Interim Chief Executive Officer

Attachments: 1. Road Safety in the Darwin Municipality [↓](#)

RECOMMENDATIONS

THAT the Incoming Correspondence – Department of Infrastructure, Planning and Logistics – Road Safety in the Darwin Municipality be received and noted.



Department of
INFRASTRUCTURE PLANNING AND LOGISTICS

Chief Executive
Level 5 Energy House
18-20 Cavenagh Street
DARWIN NT 0801

Postal Address
GPO Box 1680
DARWIN NT 0801

T 08 8924 7029
E andrew.kirkman@nt.gov.au

File Reference
2022/0090-0003

Ms Simone Saunders
A/Chief Executive Officer
City of Darwin
GPO Box 84
DARWIN NT 0800

Simone
Dear Ms Saunders

Re: Road Safety in the Darwin Municipality

Thank you for your letter dated 17 March 2021, seeking the City of Darwin's input into road safety policy development.

I agree that it is highly beneficial that this Department and the City of Darwin work together to share ideas and information to improve road safety outcomes across the municipality. To this end, Nicholas Papandonakis, Executive Director Strategy, Policy and Legislation has discussed the issue with Drosso Lelekis, Executive Manager Technical Design. Both have agreed that regular meetings between our organisations would assist in achieving improved road safety outcomes.

I anticipate that the first meeting will take place in April, at which agreement can be reached on both the topics of discussion and ongoing representation at future meetings.

Thank you for writing to me in respect to this important matter. I am very happy to discuss this further when we next catch up.

Yours sincerely

A handwritten signature in black ink, appearing to read "AK", written over a horizontal line.

Andrew Kirkman
Chief Executive

// April 2022

19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday, 17 May 2022, at 7:30pm - Restricted Confidential (Open Section followed by the Confidential Section), Council Chambers Darrandirra, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

20 CLOSURE OF MEETING TO THE PUBLIC

THAT pursuant to Section 99 (2) of the Local Government Act and Regulation 51 of the Local Government (General) 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:

26.1 Draft 2022/23 Municipal Plan

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.

26.2 Community Grants Round 1 2022/2023

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.

26.3 Neuron Expansion

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.

26.4 Casuarina Aquatic and Leisure Centre Procurement Presentation Brief

This matter is considered to be confidential under Section 99(2) - 51(c)(i) 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 that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person 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.

26.5 Elected Members Intranet Archive Access

This matter is considered to be confidential under Section 99(2) - 51(c)(iii) 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 prejudice the security of the council, its members or staff.

21 ADJOURNMENT OF MEETING AND MEDIA LIAISON



MINUTES

**Ordinary Council Meeting
Tuesday, 26 April 2022**

Reports, recommendations and supporting documentation can be accessed via the City of Darwin Council Website at www.darwin.nt.gov.au, at Council Public Libraries or contact the Committee Administrator on (08) 8930 0670.

**MINUTES OF CITY OF DARWIN
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS DARRANDIRRA, LEVEL 1, CIVIC CENTRE, HARRY
CHAN AVENUE, DARWIN
ON TUESDAY, 26 APRIL 2022 AT 5:30PM**

- PRESENT:** Deputy Lord Mayor Sylvia Klonaris, Councillor Paul Arnold, Councillor Jimmy Bouhoris, Councillor Justine Glover, Councillor Brian O'Gallagher, Councillor Mick Palmer, Councillor Peter Pangquee, Councillor Morgan Rickard, Councillor Vim Sharma, Councillor Ed Smelt, Councillor Amye Un, Councillor Rebecca Want de Rowe
- OFFICERS:** Simone Saunders (Interim Chief Executive Officer), Chris Kelly (Acting General Manager Corporate), Alice Percy (Acting General Manager Innovation), Matt Grassmayr (General Manager Community)
- Gemma Perkins (Governance Business Partner), Edith Heiberg (Governance Projects Officer), Angela O'Donnell (Executive Manager Community and Cultural Services), Russell Holden (Executive Manager Finance), Nik Kleine (Executive Manager Infrastructure), Drosso Lelekis (Executive Manager Technical Services), Cindy Robson (Manager City Planning), Fred McCue (Public Relations and External Affairs Advisor)
- APOLOGY:** Lord Mayor Kon Vatskalis
- GUESTS:** Nil

WEBCASTING DISCLAIMER

The City of Darwin is live webcasting the Open Section of Ordinary Council Meetings. Audio-visual recording equipment has been configured to avoid coverage of the public gallery area and the City of Darwin will use its best endeavours to ensure images in this area are not webcast. However the City of Darwin expressly provides no assurances to this effect and in the event your image is webcast, you will by remaining in the public gallery area be taken to have given the City of Darwin a non-exclusive licence to copy and broadcast your image worldwide for no reward.

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Unconfirmed

1 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 THE LORD'S PRAYER

Our Father, who art in heaven, hallowed be thy name; thy kingdom come; thy will be done; on earth as it is in heaven.

Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation; but deliver us from evil.

For thine is the kingdom, the power, and the glory for ever and ever.

Amen.

3 MEETING DECLARED OPEN**RESOLUTION ORD195/22**

Moved: Councillor Justine Glover

Seconded: Councillor Morgan Rickard

The Chair declared the meeting open at 5.34pm.

CARRIED 12/0

3.1 APPOINTMENT OF ACTING DEPUTY LORD MAYOR**RESOLUTION ORD196/22**

Moved: Councillor Peter Pangquee

Seconded: Councillor Jimmy Bouhoris

THAT Council appoint Councillor Paul Arnold as Acting Deputy Lord Mayor for the period 22 April to 1 May 2022.

CARRIED 12/0

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 APOLOGIES

Nil

4.2 LEAVE OF ABSENCE GRANTED

RESOLUTION ORD197/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Morgan Rickard

THAT it be noted Lord Mayor Kon Vatskalis is an apology due to a Leave of Absence previously granted on 12 April 2022 for the period 22 April 2022 to 1 May 2022.

CARRIED 12/0

4.3 LEAVE OF ABSENCE REQUESTED

RESOLUTION ORD198/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Morgan Rickard

THAT a Leave of Absence be granted for Councillor Ed Smelt for the period 11 May 2022 to 12 June 2022.

CARRIED 12/0

5 ELECTRONIC MEETING ATTENDANCE

5.1 ELECTRONIC MEETING ATTENDANCE GRANTED

RECOMMENDATIONS

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No. 21\0009 – 15/04/12, the following member(s) was granted permission for Electronic Meeting Attendance at this Ordinary Council Meeting held on Tuesday, 26 April 2022:

- Councillor Brian O’Gallagher
- Councillor Ed Smelt

5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED

Nil

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

6.1 DECLARATION OF INTEREST BY MEMBERS

RESOLUTION ORD199/22

Moved: Councillor Peter Pangquee

Seconded: Councillor Mick Palmer

- A. THAT Council note that pursuant to Section 114 and 115 of the *Local Government Act 2019*, Deputy Lord Mayor Sylvia Klonaris, declared a Conflict of Interest in Item 13.1.
- B. THAT Council note that pursuant to Section 114 and 115 of the *Local Government Act 2019*, Councillor Jimmy Bouhoris, declared a Conflict of Interest in Item 13.2.

CARRIED 12/0

6.2 DECLARATION OF INTEREST BY STAFF

Nil

7 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION ORD200/22

Moved: Councillor Justine Glover

Seconded: Councillor Brian O'Gallagher

That the minutes of the Ordinary Council Meeting held on 12 April 2022 be confirmed.

CARRIED 12/0

8 MOVING OF ITEMS

8.1 MOVING OF OPEN ITEMS INTO CONFIDENTIAL

Nil

8.2 MOVING OF CONFIDENTIAL ITEMS INTO OPEN

Nil

8.3 MOVING CONFIDENTIAL ITEMS TO OPEN AT THE CONCLUSION OF THE MEETING**26.1 YOUTH ADVISORY COMMITTEE RECOMMENDATION - APPOINTMENT OF NEW MEMBERS****RESOLUTION ORD225/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Rebecca Want de Rowe

1. THAT the report entitled Youth Advisory Committee Recommendation - Appointment of New Members be received and noted.
2. THAT Council appoint Kelvin Sidhu and Jules Gabor to the Youth Advisory Committee from 26 April 2022 to 30 April 2024.
3. THAT this report be deemed a confidential document and be treated as such in accordance with Section 118 of the *Local Government Act 2019* and that the document remains confidential unless Council decides otherwise by resolution.
4. THAT this decision be moved into Open at the conclusion of the meeting.

CARRIED 11/0**26.2 2021/22 CAPITAL PROGRAM PROJECTS EARLY CARRY FORWARD NOMINATION****RESOLUTION ORD226/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Rebecca Want de Rowe

1. THAT the report entitled 2021/22 Capital Program Projects Early Carry Forward Nomination be received and noted.
2. THAT Council endorse the nomination of the projects and funds identified for early carry forward within **Attachment A** of the report entitled 2021/22 Capital Program Projects Early Carry Forward Nomination.
3. THAT this report be deemed a confidential document and be treated as such in accordance with Section 118 of the *Local Government Act 2019* and that the document remains confidential unless Council decides otherwise by resolution.
4. THAT this decision be moved into Open upon endorsement of the recommendations as identified in the report entitled 2021/22 Capital Program Projects Early Carry Forward Nomination

CARRIED 11/0**26.3 ACCESS AND INCLUSION ADVISORY COMMITTEE RECOMMENDATIONS****RESOLUTION ORD227/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Rebecca Want de Rowe

1. THAT the report entitled Access and Inclusion Advisory Committee Recommendations be received and noted.
2. THAT Council appoints Stephanie Ransome as Access and Inclusion Advisory Committee Chair for the period 7 April 2022 to 29 February 2024.
3. THAT Council approve the following priority order for projects for the Disability Access

Program:

- i. Jingili Water Gardens – Line marking and signage amendments to the existing accessible space at the South East car park as well as an additional accessible bay, upgrade of the kerb ramp and a footpath between the car parking area and the play space.
 - ii. Fannie Bay Shopping Centre - Provision of footpath and kerb ramp connection Aviators Park & Fannie Bay Place
 - iii. Fannie Bay Shopping Centre - Upgrade of one existing accessible parking bay Aviators Park to Australian Standard compliance
 - iv. Fannie Bay Shopping Centre - four kerb ramps and landings adjacent Ross Smith Avenue from Ken Waters Memorial Park, crossing Keith Lane and Fannie Bay Place into Aviators Park
 - v. Fannie Bay Shopping Centre - A crossing point will be provided across Hinkler Crescent and realignment of the existing kerb line from Hinkler into Keith Lane to provide a compliant graded footpath
4. THAT this report be deemed a confidential document and be treated as such in accordance with Section 118 of the *Local Government Act 2019* and that the document remains confidential unless Council decides otherwise by resolution.
 5. THAT this decision be moved into Open following the Council meeting.

CARRIED 11/0

26.5 LICENSED OUTDOOR DINING APPLICATION - CAFE 21 - THE MALL

RESOLUTION ORD229/22

Moved: Councillor Mick Palmer

Seconded: Councillor Paul Arnold

1. THAT the report entitled Licensed Outdoor Dining Application - Cafe 21 - The Mall, be received and noted.
2. THAT Council approve the application by Café 21 to operate a permanent Licensed Outdoor Dining area within The Mall, as demonstrated in the application and site plans submitted, subject to the below conditions:
 - (a) City of Darwin may revoke the Outdoor Dining Permit, for any reason, with 60 days written notice;
 - (b) The Mall is a smoke free zone, hence smoking will not be permitted in the licensed area at any time;
 - (c) A separate electrical meter with a circuit breaker is to be provided and used by the applicant, with their paying of all electricity charges;
 - (d) The electrical and lighting installation shall be carried out by an appropriately qualified professional, and a copy of all certification documents are to be provided to City of Darwin, prior to commencing trade;
 - (e) All non-cyclone rated outdoor dining infrastructure is to be removed from The Mall on the issuing of a Cyclone Watch;
 - (f) A works permit is required prior to any works commencing in The Mall;
 - (g) The three public bench seats located in The Mall are to be removed and transported at the applicant's cost;
 - (h) For events and other activities, such as the installation of Christmas decorations, the applicant is to provide City of Darwin, and/or stakeholder/s full access to the

area/shade structure when requested; and

- (i) The applicant must ensure that the area is always maintained in a safe, clean condition, to City of Darwin standards, and at no cost to City of Darwin.

3. THAT Council endorse Option 1 and approve the use of raised tables and bar stools within the outdoor dining area.
4. THAT Council approve the laying of artificial turf in the dining area, providing that the turf is securely laid without fixing it to the surface of The Mall in any way.
5. THAT Council as landowner, support Café 21 in their application for a Restaurant Bar Authority Liquor Licence in The Mall to the Liquor Commission.
6. THAT Council endorses this proposal based on the permit fee being in accordance with City of Darwin's Fees and Charges.
7. THAT this decision be moved into Open at the conclusion of the meeting.

CARRIED 11/0

27.3 YMCA NT QUARTERLY REPORT - JANUARY TO MARCH 2022

RESOLUTION ORD233/22

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Vim Sharma

1. THAT the report entitled YMCA NT Pool Management Report – January to March 2022 be received and noted.
2. THAT this report be deemed a confidential document and be treated as such in accordance with Section 118 of the *Local Government Act 2019* and that the document remains confidential unless Council decides otherwise by resolution.
3. THAT this decision be moved into Open at the completion of the meeting.

CARRIED 8/0

27.5 CITY SAFE PATROLS - QUARTERLY REPORT - JANUARY TO MARCH 2022

RESOLUTION ORD235/22

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Jimmy Bouhoris

1. THAT the report entitled City Safe Patrols – January to March 2022 be received and noted.
2. THAT this report be deemed a confidential document and be treated as such in accordance with Section 118 of the *Local Government Act 2019* and that the document remains confidential unless Council decides otherwise by resolution.
3. THAT this decision be moved into Open on the conclusion of the meeting.

CARRIED 7/0

9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

Nil

10 PUBLIC QUESTION TIME

Nil

11 PETITIONS

Nil

12 DEPUTATIONS AND BRIEFINGS

Nil

13 NOTICES OF MOTION

Councillor Sylvia Klonaris departed the meeting at 5:39 pm due to a conflict of Interest.

Acting Deputy Lord Mayor Paul Arnold resumed as the chair.

13.1 NOTICE OF MOTION - NAKARA OVAL MASTERPLAN

I, Councillor Rebecca Want de Rowe, give notice that at the next Ordinary Council Meeting on 26 April 2022, I will move the following motion:-

MOTION

THAT Council rescinds the in principal support for the Azzuri Football Club Nakara Oval Masterplan and that community consultation is undertaken on the Masterplan prior to it being reconsidered by Council.

Notice of Motion – Nakara Oval Masterplan was withdrawn by Councillor Rebecca Want de Rowe.

Councillor Rebecca Want de Rowe departed the meeting at 5:47 pm.

Councillor Sylvia Klonaris re-joined the meeting at 5:47 pm.

Councillor Jimmy Bouhoris departed the meeting at 5:48 pm due to a conflict of interest.

Councillor Rebecca Want de Rowe re-joined the meeting at 5:49 pm.

13.2 NOTICE OF MOTION - POWER UNDERGROUNDING PROGRESS

I, Councillor Klonaris, give notice that at the next Ordinary Council Meeting on 26 April 2022, I will move the following motion:-

RESOLUTION ORD201/22

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Justine Glover

THAT Council request:

1. City of Darwin Lord Mayor to write to the Minister for Essential Services requesting a briefing on the power undergrounding program currently under consideration by Government, with the opportunity to provide input into identifying priority locations for the next delivery phase across Stuart Park, The Gardens, Parap, Fannie Bay, Larrakeyah, Nakara, Wagaman, Jingili, Alawa, The Narrows, Moil, Coconut Grove and Ludmilla.

CARRIED 11/0

Councillor Jimmy Bouhoris re-joined the meeting at 5:51 pm.

14 ACTION REPORTS

14.1 REVIEW OF PRIVACY POLICY

RESOLUTION ORD202/22

Moved: Councillor Morgan Rickard

Seconded: Councillor Brian O'Gallagher

1. THAT the report entitled Review of Privacy Policy be received and noted.
2. THAT Council approve the revised Policy 0033.100.E.R. Privacy as at **Attachment 1**.

CARRIED 12/0

14.2 REQUEST FOR LIGHTING OF GARDENS PARK GOLF LINKS FOR CHARITY AND FUNCTION EVENTS

RESOLUTION ORD203/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Amye Un

1. THAT the report entitled Request for Lighting of Gardens Park Golf Links for Charity and Function Events be received and noted.
2. THAT Council approve the request from Gardens Park Golf Links to activate the solar lights on the 1st hole to allow for charity fundraising events and functions to be held during the period of April 2022 to January 2023, subject to:
 - (i) The hours of use be restricted to no later than 9pm Monday to Saturday.
 - (ii) The lighting is compliant to the requirements of obtrusive lighting standard AS/NZS 4282.

CARRIED 9/3

Councillor Amye Un departed the meeting at 6:27 pm.

Councillor Amye Un re-joined the meeting at 6:29 pm.

Councillor Brian O'Gallagher departed the meeting at 6:34 pm.

Councillor Brian O'Gallagher re-joined the meeting at 6:35 pm.

14.3 DARWIN OVAL CARPARK

RESOLUTION ORD204/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Paul Arnold

1. THAT the report entitled Darwin Oval Carpark be received and noted.
2. THAT the “greening” of the Darwin Oval Car Park, The Esplanade be deferred, to enable consultation with key stakeholders, consideration of the impacts as outlined in this report and to identify project funding and that a report return to Council by 2nd Ordinary in August.

In Favour: Councillors Paul Arnold, Jimmy Bouhoris, Sylvia Klonaris, Brian O'Gallagher, Mick Palmer, Peter Pangquee, Vim Sharma, Ed Smelt and Amye Un

Against: Councillors Justine Glover, Morgan Rickard and Rebecca Want de Rowe

CARRIED 9/3

14.4 REVISED MUNICIPAL BUSKING CONDITIONS**MOTION**

Moved: Councillor Paul Arnold

Seconded: Councillor Mick Palmer

1. THAT the report entitled Revised Municipal Busking Conditions be received and noted.
2. THAT Council amend the decision requiring a busker's photograph be included on a busking permit, with the following amendment:
 - (a) Buskers are required to have identification available on them at all times and must be presented upon request by an authorised officer.
3. THAT Council endorse the expansion of amplification permissions for busking to the Darwin municipality, excluding The Mall

AMENDMENT

Moved: Councillor Paul Arnold

Seconded: Councillor Mick Palmer

1. THAT the report entitled Revised Municipal Busking Conditions be received and noted.
2. THAT Council endorse the expansion of amplification permissions for busking to the Darwin municipality, excluding The Mall.

CARRIED 8/4

RESOLUTION ORD205/22

Moved: Councillor Paul Arnold

Seconded: Councillor Mick Palmer

1. THAT the report entitled Revised Municipal Busking Conditions be received and noted.
2. THAT Council endorse the expansion of amplification permissions for busking to the Darwin municipality, excluding The Mall.

CARRIED 10/2

15 RECEIVE & NOTE REPORTS

Councillor Jimmy Bouhoris departed the meeting at 7:07 pm.

15.1 MONTHLY FINANCIAL REPORT - MARCH 2022**RESOLUTION ORD206/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Ed Smelt

THAT the report entitled Monthly Financial Report – March 2022 be received and noted.

CARRIED 11/0

Councillor Jimmy Bouhoris re-joined the meeting at 7:09 pm.

15.2 MALAK OVAL AND FANNIE BAY OVAL CHANGE ROOM PROPOSALS - CONSULTATION OUTCOMES**RESOLUTION ORD207/22**

Moved: Councillor Sylvia Klonaris
Seconded: Councillor Peter Pangquee

THAT the report entitled Malak Oval and Fannie Bay Oval Change Room Proposals –Consultation Outcomes be received and noted.

CARRIED 12/0

Councillor Vim Sharma departed the meeting at 7:18 pm.

Councillor Vim Sharma re-joined the meeting at 7:20 pm.

15.3 QUARTERLY PERFORMANCE REPORT: JANUARY - MARCH 2022 (Q3)**RESOLUTION ORD208/22**

Moved: Councillor Mick Palmer
Seconded: Councillor Amye Un

THAT the report entitled Quarterly Performance Report: January – March 2022 (Q3) be received and noted.

CARRIED 12/0**15.4 COMMUNITY ADVISORY COMMITTEE MINUTES****RESOLUTION ORD209/22**

Moved: Councillor Sylvia Klonaris
Seconded: Councillor Justine Glover

THAT the report entitled Community Advisory Committee Minutes be received and noted.

CARRIED 12/0**15.5 RECONCILIATION ACTION ADVISORY COMMITTEE****RESOLUTION ORD210/22**

Moved: Councillor Jimmy Bouhoris
Seconded: Councillor Peter Pangquee

THAT the report entitled Reconciliation Action Advisory Committee be received and noted.

CARRIED 12/0

16 REPORTS OF REPRESENTATIVES**RESOLUTION ORD211/22**

Moved: Councillor Mick Palmer

Seconded: Councillor Amye Un

THAT the following Reports of Representatives be received and noted.

16.1

Deputy Lord Mayor Sylvia Klonaris reported on the ANZAC Day Ceremony. The event and the parade was well organised, well attended and amazing.

16.2

Councillor Amye Un also reported on the ANZAC Day Ceremony and advised the community has contacted her asking why the Lord Mayor was not present.

Deputy Lord Mayor Sylvia Klonaris responded that Lord Mayor had leave approved through Council and is currently interstate. She attended on behalf of Lord Mayor. The Interim Chief Executive Officer, Simone Saunders was unable to attend due to illness.

CARRIED 12/0

17 QUESTIONS BY MEMBERS

Councillor Brian O'Gallagher departed the meeting at 7:28 pm.

17.1 BUFFALO CREEK BOAT RAMP UPGRADE**RESOLUTION ORD212/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Amye Un

Question

Councillor Jimmy Bouhoris requested an update on the Buffalo Creek Boat Ramp.

Answer

The Acting General Manager Corporate, Chris Kelly responded and advised that works will formally start next week with an estimated 12 week construction time frame. Preparatory works have started this week.

.CARRIED 11/0

17.2 BRADSHAW TERRACE DEVELOPMENT**RESOLUTION ORD213/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Amye Un

Question

Councillor Jimmy Bouhoris asked about a letter from a community member regarding the Bradshaw Terrace Development that was submitted to Council and if a response has been provided.

Answer

The Interim Chief Executive Officer, Simone Saunders advised that Council has responded to the community member. The Executive Manager Infrastructure, Nik Kleine advised that the material used is 3ml corten steel. It is not sharp and is there to hold back the mulch. It also acts as a deterrent to people informally crossing the road and directs people to use the crossings. The risk of cutting yourself on the steel is minimal due to its width and the edges aren't sharp.

CARRIED 11/0**17.3 WOOLWORTHS DEVELOPMENT UPDATE****RESOLUTION ORD214/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Amye Un

Question

Councillor Jimmy Bouhoris requested an update on the Woolworths Development.

Answer

The Executive Manager Technical Services, Drosso Lelekis responded and advised that he has been in discussions with Woolworths. Woolworths is planning to commence works in the first half of the next financial year. City of Darwin will engage with Woolworths in regards to the widening works that Council approved. A legal agreement will be drafted and presented.

CARRIED 11/0

17.4 LETER BOX DROP REGARDING TREE TRIMMING AT WANGURI OVAL**RESOLUTION ORD215/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Amye Un

Question

Councillor Jimmy Bouhoris had a resident ask about the trees at Wanguri Oval getting cut and if City of Darwin performed a letter box drop of the surrounding area.

Answer

The General Manager Community, Matt Grassmayr took the question on notice.

CARRIED 11/0

Councillor Brian O'Gallagher re-joined the meeting at 7:32 pm.

17.5 TEAM BUILDING REQUEST FOR ELECTED MEMBERS**RESOLUTION ORD216/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Amye Un

Question

Councillor Morgan Rickard followed up a previous request for team building for Elected Members that was raised with the previous Chief Executive Officer, Scott Waters.

Answer

The Interim Chief Executive Officer, Simone Saunders advised that team building would be scheduled after upcoming budget, other workshops and the compulsory training that has been scheduled. City of Darwin is also reviewing other training opportunities for Elected Members. Potentially August or September but given the Interim Chief Executive Officer situation it would be best to wait for that but it is still on the agenda.

CARRIED 12/0

17.6 TRAFFIC SIGNAGE ON PROGRESS DRIVE, NIGHTCLIFF**RESOLUTION ORD217/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Amye Un

Question

Councillor Ed Smelt requested an update on the 50km speed sign along Progress Drive, Nightcliff.

Answer

The Executive Manager Technical Services, Drosso Lelekis responded and advised that it is programmed. The date will be provided to Elected Members.

CARRIED 12/0

17.7 TRAFFIC ASSESSMENT ON CARNOUSTIE CIRCUIT MARRARA**RESOLUTION ORD218/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Amye Un

Question

Councillor Brian O'Gallagher requested an update on the traffic assessment on Carnoustie Circuit in Marrara.

Answer

The Interim Chief Executive Officer, Simone Saunders responded and advised that correspondence was provided to the Golf Club last week. It is on the radar for the Technical Services team. The team will attend to do an initial assessment in the next 4-6 weeks, depending on the initial assessment move to any other requirements. It is on the schedule and the resident was also advised.

CARRIED 12/0

17.8 NIGHTCLIFF JETTY**RESOLUTION ORD219/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Amye Un

Question

Councillor Amye Un advised that Nightcliff Jetty requires additional lighting and safety signage for people who are jetty jumping.

Answer

The General Manager Community, Matt Grassmayr responded and advised that the jetty is a Northern Territory Government asset and City of Darwin can liaise with them.

CARRIED 12/0

17.9 TRAFFIC ASSESSMENT ON MOIL TERRACE**RESOLUTION ORD220/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Amye Un

Question

Deputy Lord Mayor Sylvia Klonaris requested an update on the traffic assessment on Moil Crescent, Moil.

Answer

The Executive Manager Technical Services, Drosso Lelekis responded and advised that Moil Crescent has a program scheduled for next year. Further information to be provided to Elected Members.

CARRIED 12/0

18 GENERAL BUSINESS**18.1 CITY OF DARWIN FUNCTION****RESOLUTION ORD221/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Jimmy Bouhoris

Deputy Lord Mayor reminded the Elected Members of the event that City of Darwin is holding tomorrow and encouraged all to attend.

CARRIED 12/0

19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**RECOMMENDATIONS**

THAT the next Ordinary Meeting of Council be held on Tuesday, 17 May 2022, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers Darrandirra, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

20 CLOSURE OF MEETING TO THE PUBLIC**RECOMMENDATIONS**

THAT pursuant to Section 99 (2) of the Local Government Act and Regulation 51 of the Local Government (General) 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:

26.1 Youth Advisory Committee Recommendation - Appointment of New Members

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.

26.2 2021/22 Capital Program Projects Early Carry Forward Nomination

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.

26.3 Access and Inclusion Advisory Committee Recommendations

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.

26.4 Chung Wah Society Project

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.

26.5 Licensed Outdoor Dining Application - Cafe 21 - The Mall

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.

27.1 Corporate Services Report - March 2022

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.

27.2 Rating Issues for Public Housing

This matter is considered to be confidential under Section 99(2) - 51(b) and 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 about the personal circumstances of a resident or ratepayer and information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

27.3 YMCA NT Quarterly Report - January to March 2022

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.

27.4 Update on City Deal

This matter is considered to be confidential under Section 99(2) - 51(d) 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 subject to an obligation of confidentiality at law, or in equity.

27.5 City Safe Patrols - Quarterly Report - January to March 2022

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.

27.6 Shoal Bay Waste Management Facility - Operational Risks Update

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.

21 Adjournment of Meeting and Media Liaison

RESOLUTION ORD222/22

Moved: Councillor Morgan Rickard

Seconded: Councillor Vim Sharma

THAT the open section of the meeting be adjourned at 7.39pm.

CARRIED 12/0

THAT the open section of the meeting be resumed at 10.06pm.

THAT the chair declared the meeting closed at 10.06pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 May 2022.

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CHAIR