



AGENDA

Ordinary Council Meeting Tuesday, 6 December 2022

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

Date: Tuesday, 6 December 2022

Time: 5:30pm

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

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

**Simone Saunders
Chief Executive Officer**

ORDINARY COUNCIL MEMBERS

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

Deputy Lord Mayor Vim Sharma

Councillor Paul Arnold

Councillor Jimmy Bouhoris

Councillor Kim Farrar

Councillor Sylvia Klonaris

Councillor Brian O'Gallagher

Councillor Mick Palmer

Councillor Peter Pangquee

Councillor Morgan Rickard

Councillor Ed Smelt

Councillor Amye Un

Councillor Rebecca Want de Rowe

OFFICERS

Chief Executive Officer, Simone Saunders

Acting General Manager Corporate, Chris Kelly

General Manager Community, Matt Grassmayr

General Manager Innovation, Alice Percy

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1 ACKNOWLEDGEMENT OF COUNTRY

2 THE LORD'S PRAYER

3 MEETING DECLARED OPEN

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 Apologies

4.2 Leave of Absence Granted

4.3 Leave of Absence Requested

5 ELECTRONIC MEETING ATTENDANCE

5.1 Electronic Meeting Attendance Granted

5.2 Electronic Meeting Attendance Requested

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

7 CONFIRMATION OF PREVIOUS MINUTES

Ordinary Council Meeting - 29 November 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

Two Submissions for Public Question Time

11 PETITIONS

12 DEPUTATIONS AND BRIEFINGS

Nil

13 NOTICES OF MOTION

Nil

14 ACTION REPORTS

14.1 1ST BUDGET REVIEW 2022/2023

Author: Executive Manager Finance

Authoriser: Chief Executive Officer

Attachments:

1. Statement of Income [↓](#)
2. Statement of Fund Flows [↓](#)
3. Statement of Cash and Investments [↓](#)
4. Cost of Services [↓](#)
5. Statement of Capital Expenditure [↓](#)

RECOMMENDATIONS

1. THAT the report entitled 1st Budget Review 2022/2023 be received and noted.
2. THAT Council amend the 2022/2023 budget in accordance with Part 10.5 of the Local Government Act 2019, as detailed in report titled 1st Budget Review 2022/2023 and associated attachments one to five.

PURPOSE

The purpose of this report is to present the 1st Budget Review 2021/2022 and seek Council's approval of the recommended amendments to the budget.

The Budget Review provides additional financial information to supplement statutory monthly financial reporting.

KEY ISSUES

- The budget review proposes several amendments to Council's adopted Budget.
- The budget is balanced, as per legislative requirements.

DISCUSSION

The 1st Budget Review is presented with no change in General Funds and is compliant with Section 202 of the Local Government Act 2019, prohibits budgeting for a deficit except in accordance with the regulations specified in Section 10 of the Local Government (General) Regulations 2021.

This report outlines a high-level summary of some of the significant movements and does not discuss in detail all the variations. The report should be read in conjunction with the detailed notes provided in the attachments for a comprehensive view of all the variations.

Overall Impact

- a. "Net Surplus (Income Statement)", decreases leading to a decrease in "Funds from operations" (credit) \$0.42M (**Attachment 1**).
- b. "Purchases of Infrastructure", net decrease of \$21.34M (debit). (**Attachment 5**).
- c. "Funds from Financing" decrease by \$10.45M (credit) (**Attachment 2**).
- d. "Transfers from specific Reserves" decrease of \$10.47M (credit) (**Attachment 3**).
- e. The sum of the above (a-d) variations to the existing adopted budget result in a nil effect to the General Funds of (**Attachment 2 – Bottom Line**).

Variations of Note

Income Statement

The Operating Result from operations declines by \$0.42M with increased operational expenses of \$0.59M recognised partially offset by additional income of \$0.17M with the remainder funded by transfers from capital programs and reserves.

Funded increases in expenditure include:

- \$350k ICT Roadmap program – transfer from Asset Replacement & Refurbishment Reserve
- \$210k Independent Review of works program at Shoal Bay Waste Management Facility funded by transfer from Unspent Grants Reserve. Grant funds identified from residual NTG grant funds as approved by Department of Chief Minister.
- \$140k expansion of the public places rangers' program with increase weekend public places patrols (ORD291/22). Expenditure includes employee costs, materials, and internal plant usage. The program is funded from the Asset Replacement & Refurbishment Reserve in line with the 2022/23 budget deliberations.

Capital Expenditure Program

The capital program decreases by \$21.3M, and mainly reflects the timing delivery of significant major projects. Programs have been transferred to Carry Forward Reserve or 'unwound' in the budget as appropriate (if funded by capital grant or undrawn borrowings). The program budgets will be restated in future reviews as projects are progressed and include:

- \$11.5M Shoal Bay Waste Management Facility Stage 2 Expansion Works. The total budget for this project is \$12M funded by external loan borrowings. Application to the Minister for the borrowings is currently underway and still pending approval. As the project will be staged across several financial years the budget variation reflects the estimated current years requirement of \$500k. Budgeted borrowing costs and loan proceeds have also been adjusted. Budgets will be restated in line with timeline next financial year.
- \$10M Casuarina Aquatic Leisure Centre has been transferred to the Carry Forward Reserve as it is projected that expenditure will span the financial years.
- \$1.34M Lee Point Rd Upgrade transfer of revenue funds to the Carry Forward Reserve and adjusting grant income & expenditure budget components from LCRI Phase 2 funding. The project has been delayed due to required decommissioning of underground

<p>water utilities infrastructure.</p> <ul style="list-style-type: none"> • \$504k Dickward Drive Culvert Upgrade transfer to the Carry Forward Reserve as project delayed by ground conditions. <p>Increases to capital programs include:</p> <ul style="list-style-type: none"> • \$1.5M Leachate Storage Pond 3 – additional funds required for this project and are funded by interim utilisation of the Waste Remediation Reserve (ORD 476/22). • \$420k Nightcliff Oval Sports Lighting improvements funded transfer from Unspent Grants Reserve Urban Oval Lights grant funds • \$250k Shoal Bay Perimeter Fence funded by transfer from Unspent Grants Reserve Municipal Projects grant as funds have been expended <p>As stated above this is not a comprehensive list of all the variations, the full detailed list and notes are provided in the attachments to the report.</p>	
<p>PREVIOUS COUNCIL RESOLUTION</p> <p>N/A</p>	
<p>STRATEGIC PLAN ALIGNMENT</p>	<p>6 Governance Framework</p> <p>6.3 Decision Making and Management</p>
<p>BUDGET / FINANCIAL / RESOURCE IMPLICATIONS</p>	<p>Budget/Funding: Detailed within the body and attachments of the report.</p> <p>Is Funding identified: Adoption of the recommendation in this report will amend the 2022/23 Budget</p>
<p>LEGISLATION / POLICY CONTROLS OR IMPACTS</p>	<p>Legislation:</p> <p>Local Government Act 2019</p> <p>Part 10.5</p> <p>Local Government (General) Regulations 2021</p> <p>Section 9 <i>Review of budget</i></p> <p>Section 10 <i>Budget for deficit in some circumstances</i></p> <p>Section 11 Reserves</p> <p>Policy:</p> <p>No 066 Allocation of Surplus Funds</p>
<p>CONSULTATION, ENGAGEMENT & COMMUNICATION</p>	<p>Engagement Level: Consult</p> <p>Tactics: Request submissions of Budget Variation applications from all Departments.</p>
<p>DECLARATION OF INTEREST</p>	<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>

ATTACHMENT 1

<u>Income Statement</u> for the period ended 31/10/2022	YTD Actual \$'000	FY Original Budget \$'000	FY Revised Budget \$'000	Proposed Variations \$'000	Projected Result \$'000	YTD v Projected Result %	Notes
% of year elapsed						33%	
Income from Continuing Operations							
Rates & Annual Charges (Rates, Waste & Carparking Shortfall)	26,679	80,215	80,215		80,215	33%	
Statutory Charges (Fines, Registrations)	880	2,282	2,282		2,282	39%	
User Fees & Charges (Parking, Waste & Other)	7,417	24,521	24,521	-	24,521	30%	
Grants & Contributions - Operating	536	5,760	2,744	27	2,771	19%	
Interest / Investment Income	837	1,633	1,633		1,633	51%	
Other Income	862	1,763	1,763	1	1,764	49%	
Total Income from Continuing Operations	37,211	116,174	113,158	28	113,186	33%	
Expenses from Continuing Operations							
Employee Expenses	12,845	38,893	38,893	501	39,394	33%	
Materials and Contracts	20,123	57,603	58,559	416	58,975	34%	
Elected Member Allowances	203	733	733		733	28%	
Elected Member Expenses	-	64	64		64	0%	
Depreciation, Amortisation & Impairment	10,564	33,971	33,971	-	33,971	31%	
Interest Expenses	189	2,354	2,354	(332)	2,022	9%	
Total Expenses from Continuing Operations	43,924	133,618	134,573	586	135,159	32%	
Operating Result - Continuing Operations	(6,712)	(17,443)	(21,415)	(558)	(21,973)	31%	
Grants & Contributions - Capital	1,083	9,360	10,733	140	10,873	10%	
Net Surplus/(Deficit) For the Year	(5,629)	(8,084)	(10,682)	(418)	(11,099)		1

Notes on recommended variations:

1. The increase in projected deficit in the Income Statement is as detailed in Attachment 4, Cost of Services.

ATTACHMENT 2						
Statement of Fund Flows						
for the period ended 31/10/2022	YTD Actual \$'000	FY Original Budget \$'000	FY Revised Budget \$'000	Proposed Variations \$'000	Projected Result \$'000	YTD v Projected Result % Notes
% of year elapsed						33%
Funds from Operating Activities						
Net Operating Result From Continuing Operations	(5,629)	(8,084)	(10,682)	(418)	(11,099)	51%
Add back Depreciation (not cash)	10,564	33,971	33,971		33,971	31%
Add back Other Non Cash Items	-	708	708		708	0%
Net Funds Provided (or used in) Operating Activities	4,936	26,595	23,997	(418)	23,580	1
Funds From Investing Activities						
Sale of Infrastructure, Property, Plants & Equipment	235	736	736		736	32%
Purchases of Infrastructure, Property, Plants & Equipment	(11,376)	(60,499)	(76,738)	21,343	(55,395)	21% 2
Net Funds Provided (or used in) Investing Activities	(11,142)	(59,763)	(76,002)	21,343	(54,659)	
Funds From Financing Activities						
Proceeds from Borrowings & Advances	10,000	35,500	35,500	(11,500)	24,000	42%
Repayment of Borrowings & Advances	(629)	(5,248)	(5,248)	1,046	(4,203)	15%
Funds from financing	9,371	30,252	30,252	(10,454)	19,797	3
Net Increase (-Decrease) in Funds Before Transfers	3,165	(2,916)	(21,753)	10,471	(11,282)	
Transfers from (-to) Reserves	15,635	2,916	21,753	(10,471)	11,282	4
Net Increase (-Decrease) in Funds After Transfers	18,799	0	0	0	0	5
Notes on recommended variations:						
1. The net decrease in funds from operations is as detailed in Attachment 4, Cost of Services 2. The net decrease in Purchases of Assets is as detailed in Attachment 5, Statement of Capital Expenditure. 3. The net decrease in funds from financing reflects timing of Waste Infrastructure Expansion Stage 2 drawdown requirement in 22/23. Balance to be restated in 23/24 FY. 4. Net decrease in transfers from Reserves is as detailed in Attachment 3, Statement of Cash & Investments (Reserves). 5. This is the net sum of all fund flows after reserve transfers and results in a "balanced budget" (\$0). There is no increase or decrease in General Funds in the 1st Budget Review.						

ATTACHMENT 3

Cash & Investments for the period ended 31/10/2022	YTD Actual \$'000	FY Original Budget \$'000	FY Revised Budget \$'000	Proposed Variations \$'000	Projected Result \$'000	Notes
Unrestricted	37,913	28,312	12,073		12,073	
Externally restricted						
CBD Carparking Shortfall - Developer Cont.	13,443	13,391	13,523		13,523	
CBD Carparking Shortfall - Rate Levy	14,981	15,391	15,400		15,400	
Developer Contributions	1,826	1,692	1,824		1,824	
Highway/Commercial Carparking Shortfall	53	52	52		52	
Market Site Development	541	508	519		519	
Other Carparking Shortfall	383	383	383		383	
Unspent Grants	2,269	2,171	2,269	(625)	1,643	1
Waste Management Reserve	4,911	262	1,309	873	2,182	2
Waste Remediation Reserve	4,416	4,416	4,416	(1,500)	2,916	3
Total Externally Restricted	42,823	38,266	39,696	(1,252)	38,444	
Internally restricted						
Asset Replacement & Refurbishment	3,795	3,383	3,420	(550)	2,870	4
Carry Forward	-		-	11,764	11,764	5
DEC Asset Replacement/Refurbishment	143		143		143	
Disaster Contingency	2,060	2,043	2,060		2,060	
Election Expense	130	130	130		130	
Environmental	161	39	36		36	
IT Strategy	146	-	-		-	
Nightcliff Community Hall	92	62	101		101	
Off & On Street Carparking	2,216	1,650	1,707		1,707	
Plant Replacement	9,656	8,583	8,250	510	8,759	6
Public Art	266	132	132		132	
Sale of Land	14,406	14,100	14,100		14,100	
Total Internally Restricted	33,073	30,122	30,080	11,723	41,804	
Total Cash & Investments	113,808	96,700	81,849	10,471	92,320	

Cash & Investments		YTD	FY Original	FY Revised	Proposed	Projected	
for the period ended 31/10/2022		Actual	Budget	Budget	Variations	Result	Notes
		\$'000	\$'000	\$'000	\$'000	\$'000	
<u>Notes on recommended variations:</u>							
<ol style="list-style-type: none"> Unspent Grants Reserve net transfer out -\$625k <ul style="list-style-type: none"> -\$420k Urban Oval Lights - transfer out funds for Nightcliff Oval Sports Lighting +\$300k Velodrome - transfer in funds that will not be utilised this FY -\$250k Municipal Projects - transfer out funds for Shoal Bay Perimeter Fence -\$210k residual grants transfer out approved for Shoal Bay Waste Management Facility Independent Review -\$40k Regional Sports Grant - transfer out for Table Tennis NT -\$5k transfer out for Playground Refurbishment Waste Management Reserve net transfer in +\$873k <ul style="list-style-type: none"> +\$1.37M adjust principal & interest to reflect staging of Stage 2 Expansion at SBWMF capital program and associated loan borrowings -\$505k repayment to Plant Replacement Reserve internal reserve borrowing for Storage Tanks Waste Remediation Reserve - \$1.5M additional funds for 3rd Leachate Pond construction (ORD476/22) Asset Replacement & Refurbishment Reserve net transfer out -\$550k <ul style="list-style-type: none"> -\$350k ICT Roadmap project -\$140k Public Places weekend patrols -\$60k requested funds for Rapid creek footbridge design Carry Forward Reserve net transfer in +\$11.76M <ul style="list-style-type: none"> +\$10M Casuarina Aquatic Leisure Centre project to be completed across FY's +\$1.26M Lee Point Rd Upgrade as project delayed due to underground service clash with design +\$504k Dickward Drv culvert upgrade project delayed by ground conditions, with construction to commence May 2023 Plant Replacement Reserve transfer in Yr1 repayment of internal borrowings for SBWMF storage tanks & infrastructure \$505k 							

ATTACHMENT 4

COST OF SERVICES for the period ended 31/10/2022	YTD Actual \$'000	FY Original Budget \$'000	FY Revised Budget \$'000	Proposed Variations \$'000	Projected Result \$'000	YTD v Projected Result %	Reference Note
% of year elapsed 33%							
Office of the Lord Mayor & CEO							
Income							
Chief Executive Officer Section	4	-	-		-	100%	
Executive Support & Governance	-	15	15		15	0	
Income Total	4	15	15	0	15	30%	
Expense							
Chief Executive Officer Section	381	993	993		993	38%	
Executive Support & Governance	661	1,715	1,812		1,812	36%	
Marketing & Communications	352	1,312	1,312	(3)	1,308	27%	1
Expense Total	1,394	4,020	4,117	(3)	4,114	34%	
Net Surplus/ (-Cost)	(1,390)	(4,005)	(4,102)	3	(4,099)	34%	

Office of the Lord Mayor & CEO Notes:

1. -\$3k transfer Mall audio budget to Smart Cities program

ATTACHMENT 4

COST OF SERVICES for the period ended 31/10/2022	YTD Actual \$'000	FY Original Budget \$'000	FY Revised Budget \$'000	Proposed Variations \$'000	Projected Result \$'000	YTD v Projected Result %	Reference Note
% of year elapsed 33%							
Community Hub							
Income							
Animal Management	275	603	603		603	46%	
City Maintenance	109	100	100		100	109%	
Darwin Entertainment Centre	1	14	14		14	6%	
Family & Children	127	256	256	7	262	48%	1
Library Services	15	1,505	1,505	6	1,511	1%	2
Mosquito Control	-	219	219		219	0%	
Parks & Reserves	90	200	200		200	45%	
Recreation & Leisure	39	99	99		99	40%	
Regulatory Services	423	1,364	1,364		1,364	31%	
Roads Maintenance	172	2,047	467		467	37%	
Workshop	1	47	47		47	3%	
Youth Services	4	1	1		1	350%	
Income Total	1,257	6,455	4,874	13	4,887	26%	
Expense							
Animal Management	620	1,635	1,635		1,635	38%	
Arts & Cultural	53	215	215		215	0	
Buildings and Facilities	957	3,175	3,175		3,175	30%	
City Maintenance	4,123	12,254	12,404	141	12,545	33%	3
Community & Cultural Services	435	1,035	1,035	(97)	938	46%	4
Community Hub GM	153	498	498		498	31%	
Darwin Entertainment Centre	503	995	995		995	50%	
Darwin Safer Cities Program	119	406	406		406	29%	
Family & Children	171	544	544	130	674	25%	5

ATTACHMENT 4

COST OF SERVICES for the period ended 31/10/2022	YTD Actual \$'000	FY Original Budget \$'000	FY Revised Budget \$'000	Proposed Variations \$'000	Projected Result \$'000	YTD v Projected Result %	Reference Note
% of year elapsed 33%							
Library Services	1,465	4,212	4,219	6	4,225	35%	2
Mosquito Control	138	425	425		425	32%	
Operations Administration	235	899	899	5	904	26%	6
Parks & Reserves	3,378	8,979	8,979	24	9,003	38%	7
Pathways	662	1,768	1,768		1,768	37%	
Reconciliation	30	149	199		199	15%	
Recreation & Leisure	467	1,957	1,965	(320)	1,645	28%	8
Regulatory Services	971	2,788	2,788	293	3,081	32%	9
Roads Maintenance	1,515	3,709	3,709		3,709	41%	
Stormwater Drainage	313	805	805		805	39%	
Workshop	630	2,190	2,190		2,190	29%	
Workshop - Internal Plant Recharges	(1,279)	(3,964)	(3,964)	(5)	(3,969)	32%	9
Youth Services	161	504	504		504	32%	
Expense Total	15,821	45,178	45,394	176	45,570	35%	
Net Surplus/ (-Cost)	(14,564)	(38,724)	(40,519)	(164)	(40,683)	36%	

Community Hub Notes:

1. +\$7k increase in Fun Bus grant; recognise income and associated expenditure budgets
2. +\$4k received from Good Things Foundation for Get Online Week, \$1k Dept. Territory Family and Housing for Seniors Week and \$1k sponsorship from Palmerston City Council Young Territory Author Awards - recognise income and associated expenditure budgets
3. +\$141k increase in Cullen Bay Marina public amenity maintenance agreement
4. -\$97k reallocation of employee budgets to Family & Children
5. +\$123k reallocation of employee budgets; transfer+ \$97k from Community & Cultural Serv and \$26k Recreation. +\$7k Fun Bus expense as per item 1.
6. +\$5k transfer budget from Program Management to centralise purchase of PPE materials & equipment
7. +\$24k fence painting Jingili Park and East Point lookout; funded by transfer from Fencing capital program
8. -\$191k decrease for Casuarina pool management fees with closure of pool offset by \$24k increase in Parap Pool management fees and -\$153k reallocation of employee budget to Regulatory Services (correction of original budget allocation).
9. +\$140k expansion of the public places rangers program for weekend public places patrols (ORD291/22), includes employee budget, materials and internal plant costs - funded by transfer from ARR reserve. +\$153k transfer from Recreation as per item 8.

ATTACHMENT 4

COST OF SERVICES for the period ended 31/10/2022	YTD Actual \$'000	FY Original Budget \$'000	FY Revised Budget \$'000	Proposed Variations \$'000	Projected Result \$'000	YTD v Projected Result %	Reference Note
% of year elapsed 33%							
Innovation Hub							
Income							
City Parking	1,675	4,279	4,279		4,279	39%	
Corporate Information	-	-	-		-	59%	
Development	247	405	405		405	61%	
Economic Development	221	404	404	15	419	53%	1
Environment & Climate	50	50	50		50	100%	
Information Communication & Technology	21	73	73		73	29%	
Innovation and Information Services	5	-	-		-	100%	
International Relations	10	-	-		-	100%	
Property	552	1,072	1,072		1,072	51%	
Public Lighting Program	4	7	7		7	51%	
Waste Management	8,225	27,741	27,741		27,741	30%	
Income Total	11,008	34,032	34,032	15	34,047	32%	
Expense							
City Parking	1,717	5,518	5,518		5,518	31%	
City Planning	98	583	611	6	617	16%	2
Corporate Information	182	547	547		547	33%	
Design	577	1,573	1,573	95	1,669	35%	3
Development	2	3	3		3	85%	
Economic Development	94	136	252	(85)	167	56%	4
Environment & Climate	281	935	1,206		1,206	23%	
Events	159	934	934		934	17%	
Growth and Development Services	591	953	953	140	1,093	54%	5
Information Communication & Technology	1,079	2,767	2,767		2,767	39%	
Innovation and Information Services	84	247	247		247	34%	
Innovation Hub GM	189	459	459		459	41%	
International Relations	57	241	330		330	17%	

ATTACHMENT 4

COST OF SERVICES for the period ended 31/10/2022	YTD Actual \$'000	FY Original Budget \$'000	FY Revised Budget \$'000	Proposed Variations \$'000	Projected Result \$'000	YTD v Projected Result %	Reference Note
% of year elapsed 33%							
Property	75	145	235		235	32%	
Public Lighting Program	687	2,099	2,099	30	2,129	32%	6
Smart Cities Projects	145	491	491	3	494	29%	7
Waste Management	7,199	24,895	24,895	(122)	24,773	29%	8
Expense Total	13,215	42,526	43,119	67	43,186	31%	
Net Surplus/ (-Cost)	(2,206)	(8,493)	(9,087)	(52)	(9,139)	24%	

Innovation Hub Notes:

1. +\$15k Regional Arts grant for contribution to Discover Darwin Podcast - recognise income and expense budget
2. +\$5k Urban Development Institute Australia membership and table sponsorship funded by transfer from Design budget. +\$1k Street Food power upgrade at Nightcliff Car Park transfer from capital Economic Development budget.
3. +\$100k transfer from capital Public Lighting program to undertake assessment of existing lighting infrastructure along Nightcliff/Rapid Creek Foreshore and design of required upgrading works and allow construction under capital budgets of these works in multiple stages over this and upcoming financial years. -\$5k as per item 2.
4. -\$100k transfer Tourism Top End support budget to Growth & Development sponsorship account. +\$15k Regional Arts grant associated expense budget as per item 1.
5. +\$100k transfer Tourism Top End support budget as per item 4. +\$40k transfer from Unspent Grants Reserve Regional Sports grant received in 21/22 allocated to Table Tennis NT.
6. +\$30k tree trimming around street lighting funded by transfer from Public Lighting capital program.
7. +\$3k transfer Mall audio budget from Marketing & Communications section.
8. -\$332k reduce interest expense on borrowings for Expansion of Stage 2 capital program as loan will be staged across FY's (pending Ministerial Approval). +\$210k transfer from Unspent Grants Reserve grant funds for the SBWMF Independent Review of works program.

ATTACHMENT 4

COST OF SERVICES for the period ended 31/10/2022	YTD Actual \$'000	FY Original Budget \$'000	FY Revised Budget \$'000	Proposed Variations \$'000	Projected Result \$'000	YTD v Projected Result %	Reference Note
% of year elapsed 33%							
Corporate Hub							
Income							
Customer Experience	18	95	95		95	19%	
Finance Section	131	601	601		601	22%	
Organisational Development	-	5	5		5	0%	
Risk & Assurance	13	-	-		-	100%	
Workplace Health & Safety	88	100	100		100	88%	
Income Total	250	801	801	0	801	31%	
Expense							
Asset Management Section	481	1,085	1,085		1,085	44%	
Chief Financial Officer Section	43	594	594	350	944	5%	1
Corporate Services	195	584	584		584	33%	
Customer Experience	213	747	747		747	29%	
Employee Overheads (net)	(245)	150	150		150	-164%	
Finance Section	899	3,231	3,281		3,281	27%	
Fleet Management	45	177	177		177	25%	
Human Resources	464	1,328	1,328		1,328	35%	
Organisational Development	174	1,299	1,299		1,299	13%	
Procurement Section	92	228	228		228	40%	
Program Management	313	1,193	1,193	(5)	1,189	26%	2
Risk & Assurance	1,895	2,364	2,364		2,364	80%	
Workplace Health & Safety	265	651	651		651	41%	
Expense Total	4,833	13,632	13,682	346	14,027	34%	
Net Surplus/ (-Cost)	(4,583)	(12,831)	(12,881)	(346)	(13,226)	35%	

Corporate Hub Notes:

1. +\$350k ICT Roadmap budget allocation - transfer from ARR reserve.
2. -\$5k transfer from Program Management to Operations to centralise PPE budget

ATTACHMENT 4

COST OF SERVICES for the period ended 31/10/2022	YTD Actual \$'000	FY Original Budget \$'000	FY Revised Budget \$'000	Proposed Variations \$'000	Projected Result \$'000	YTD v Projected Result %	Reference Note
% of year elapsed 33%							
General							
Income							
General Revenues (rates, interest, Federal Asstce)	24,742	74,871	73,436		73,436	34%	
Grants & Contributions and Other Income for Capital Purposes	1,033	9,360	10,733	140	10,873	9%	1
Income Total	25,775	84,231	84,169	140	84,309	31%	
Expense							
Contribution To General Funds by Other Activities	(1,903)	(5,709)	(5,709)		(5,709)	33%	
Depreciation & Impairment	10,564	33,971	33,971		33,971	31%	
Expense Total	8,661	28,262	28,262	0	28,262	31%	
Net Surplus (-Cost)	17,114	55,969	55,907	140	56,047	31%	
Net Surplus (-Cost) All Services	(5,629)	(8,084)	(10,682)	(418)	(11,099)	51%	

(NB This is the same result as the Income and expenses section of the Municipal Plan Summary Income Statement Section.)

General Notes on recommended variations:

1. Capital Grant Income:

- +\$167k grant income to be recognised in 22/23 for Speed Check Signs Blackspot program (\$250k total co contribution with \$83k recognised and expended in 21/22)
- +\$50k Tourism Towns Asset grant for Parklets & Wayfinding program
- -\$77k LRCI (Local Roads & Community Infrastructure) Phase 2 grant income for Lee Point Rd, reduce grant income and expense budget as project delayed. Will be restated as project is expended.

ATTACHMENT 5

Statement of Capital Expenditure for the period ended 31/10/2022 Master Account	YTD Actual \$'000	FY Original Budget \$'000	FY Revised Budget \$'000	Proposed Variations \$'000	Projected Result \$'000	YTD v Projected Result %	Reference Note
05/110060 Chief Executive Office Capital Projects	14	-	14		14	100%	
05/221060 Swimming Pools Capital Projects Expenditure	8	25,000	25,000	(10,000)	15,000	0%	1
05/221061 Public Art Program Capital Expenditure	111	165	411		411	27%	
05/223065 Sports Facilities - Capital Projects	672	150	1,262	120	1,382	49%	2
05/235060 Libraries Capital Expenditure	-	-	141		141	0%	
05/311060 Infrastructure Capital Projects	62	-	496	200	696	9%	3
05/322061 Economic Development Capital Expenditure	-	21	237	49	286	0%	4
05/322062 Minor Capital Works Program	-	164	164		164	0%	
05/322063 Streetscape Development & Upgrade	220	1,790	2,813	(200)	2,613	8%	3
05/322064 Road Works Capital Projects Expenditure	121	1,724	1,809		1,809	7%	
05/322066 Roads to Recovery Capital Projects Expenditure	6	86	245		245	3%	
05/322067 LATM Capital Projects Expenditure	16	752	814		814	2%	
05/322068 Cyclepath Capital Projects	464	297	457		457	101%	
05/322069 Black Spot Program	298	-	167	167	335	89%	5
05/322070 Lee Point Road Upgrade	920	-	1,757	(837)	920	100%	6
05/331061 Footpaths Capital Projects	19	927	927		927	2%	
05/331062 Disability Access Capital Projects (W/O ONLY)	-	56	111		111	0%	
05/331064 Driveway Capital Projects	231	247	247		247	94%	
05/331065 Road Reseal & Rehabilitation Capital Projects	114	2,509	2,743	(500)	2,243	5%	7
05/331066 Public Lighting Capital Projects	175	790	986	(185)	801	22%	8
05/331067 Parks Lighting Capital Projects	197	100	114	55	169	117%	9
05/331069 Traffic Signals Capital Projects	34	97	169		169	20%	
05/332060 Building Maintenance Capital Projects	606	965	1,478		1,478	41%	
05/332063 Signage & Memorial Capital Projects	8	20	20		20	40%	
05/332080 Public Pools Capital Refurbish Projects (W/O ONLY)	-	-	122		122	0%	
05/332084 Depot Capital Refurbishment Projects (W/O ONLY)	-	-	-		0	100%	
05/332086 Open Spaces Capital Refurbishment Costs (W/O ONLY)	37	-	70		70	52%	
05/332087 Civic Centre Capital Refurbishment Costs (W/O ONLY)	18	-	306		306	6%	
05/332089 Darwin Entertainment Centre Capital Projects	-	159	257		257	0%	
05/333062 Shoal Bay Upgrade Works	5,440	18,150	25,410	(9,750)	15,660	35%	10
05/334060 Stormwater Drainage Capital Projects	1,152	1,700	2,844	(504)	2,340	49%	11
05/334065 Walkway Capital Projects	2	170	170		170	1%	
05/335060 Fleet Management Capital Projects	376	2,625	2,625		2,625	14%	

ATTACHMENT 5

Statement of Capital Expenditure for the period ended 31/10/2022 Master Account	YTD Actual \$'000	FY Original Budget \$'000	FY Revised Budget \$'000	Proposed Variations \$'000	Projected Result \$'000	YTD v Projected Result %	Reference Note
05/341061 Fencing Capital Projects	10	154	154	(24)	130	8%	12
05/341062 Parks & Reserves Revitalisation Capital Projects	-	320	642	5	648	0%	13
05/341063 Parks Infrastructure Capital Projects	1	100	100	60	160	0%	14
05/341065 Parks Landscaping & Irrigation Capital Projects	13	350	350		350	4%	
05/431060 IT Capital Projects	31	646	838		838	4%	
05/453065 Off Street Parking Capital Projects	-	200	200		200	0%	
05/520060 Smart Cities Capital Expenditure	-	65	69		69	0%	
Capital Expenditure Total	11,376	60,499	76,738	(21,343)	55,395	21%	

Notes on recommended variations:

- Transfer \$10M to Carry Forward Reserve for Casuarina Aquatic Leisure Centre as project forecast to span FY's.
- Sport Facilities Capital Projects:
 - +\$420k Nightcliff Oval Sports Lighting Improvements funded from Urban Oval Lights grant funds; transfer from Unspent Grants Reserve
 - \$300k Velodrome transfer funds to Unspent Grants Reserve
- Consolidate budget for Goyder Rd project
- Economic Development projects +\$50K Tourism Towns Assets program for Parklets & Wayfinding signage; -\$1k to operational budget for Street Food Power upgrade at Nightcliff Car Park for Street Food Vendors.
- Blackspot program +\$167k for Speed Check Signs continuation of project
- Lee Point Rd Upgrade - project delayed due to underground service clash with design. Derecognition of LRCI Phase 2 grant funds -\$77k to be restated as project progresses and -\$760k revenue funds transferred to Carry Forward Reserve
- Road Reseal & Rehabilitation Program -\$500k for Lee Point Rd Upgrade transfer to Carry Forward Reserve to consolidate budget as project delayed
- Public Lighting Capital Program:
 - \$100k transfer to Design operational for assessment of exiting lighting infrastructure along Nightcliff/Rapid Creek foreshore and design or required upgrading works
 - \$55k transfer to Bayview Seawall project for lighting replacement
 - \$30k transfer to Public Lighting operational for tree trimming works around street lighting.
- +\$55k from Public Lighting for Bayview Seawall lighting replacement
- Shoal Bay Upgrade Works:
 - \$11.5M Stage 2 Expansion; remove capital and associated borrowing budgets as project will span FY's and pending Ministerial Approval. Budgets will be restated to match expenditure forecast for project.
 - +\$1.5M Leachate Pond 3 additional funds required to deliver project funded from Waste Remediation Reserve (ORD476/22)
 - +\$250k Shoal Bay Perimeter Fence transfer Municipal Projects grant from Unspent Grants Reserve
- \$504k Dickward Dr Culvert Upgrade transfer to Carry Forward reserve as project delayed by ground conditions. Construction to commence May 2023.
- \$24k transfer to operational budget for fence painting at Jingili Park and East Point lookout.
- +\$5k transfer from Unspent Grant Reserve, residual Dwyer Park funds expended in prior years to be allocated to Playground Refurbishment program
- +\$60k Rapid Creek Footbridge design - funds required to undertake scoping and design of new footbridge to replace existing at Jingili Water Gardens. Funds requested from Asset Replacement & Refurbishment Reserve.

14.2 ESTABLISHMENT OF ICT STEERING COMMITTEE

Author: Acting General Manager Corporate

Authoriser: Chief Executive Officer

Attachments: 1. Draft ICT Steering Committee Terms of Reference [↓](#)

RECOMMENDATIONS

1. THAT the report entitled Establishment of ICT Steering Committee be received and noted.
2. THAT Council approve the establishment of the ICT Steering Committee.
3. THAT Council adopt the Terms of Reference for the ICT Steering Committee at **Attachment 1**.
4. THAT Council notes that expressions of interest will be sought for external membership of the ICT Steering Committee in early 2023.

PURPOSE

The purpose of this report is to establish the ICT Steering Committee.

KEY ISSUES

- This year, City of Darwin commissioned KPMG to undertake an IT Architecture Review and Systems Mapping Review (Roadmap).
- It is proposed that the ICT Project Management Office be accountable to an ITC Steering Committee to provide accountability and a broader range of technical expertise and commercial experience.
- If approved, this Committee will consist of 5 members, comprising 1 Elected Member (plus an Elected Member Alternate) and 4 external members.
- Following approval, nominations will be sought from suitably qualified members of the community for the external positions.
- When these are appointed by Council, appointments of Elected Members will also be sought.

DISCUSSION

This year, City of Darwin commissioned a consultant to undertake an IT Architecture Review and Systems Mapping Review (Roadmap). This project consisted of 3 phases:

1. Understand City of Darwin's requirements and review the current IT landscape
2. Define the guiding principles for future IT requirements and identify an initial list of achievable initiatives
3. Build a roadmap of systems projects based on priority and need.

The intent of this process was to undertake a facilitated internal engagement process to determine business challenges and needs, and then determine a priority list of projects to inform budget development and delivery priorities over the coming years.

At the Ordinary Council Meeting of 11 October 2022, Council endorsed this Roadmap and supported the establishment of a Project Management Office to lead delivery. This group will:

- take central responsibility and accountability for developing, managing and tracking ICT projects across City of Darwin including program timeline, milestones, dependencies, scope risks, issues and mitigation strategies
- ensure consistency of ICT project execution approach across City of Darwin to meet stated outcomes and success criteria
- manage change through enforcement of change management
- commission and decommission systems.

Recruitment will shortly commence for the Director ICT Project Management Office.

As part of the IT Architecture Review, it proposed a governance structure that recommended that the ICT Project Management Office have oversight by an ITC Steering Committee to provide accountability and a broader range of technical expertise and commercial experience. This Steering Committee will be a group of informed advisors and subject matter experts who can provide commercial expertise on ICT governance, risk management, project management, systems selection and implementation, and financial management. Their industry expertise will help City of Darwin benefit from the experience and challenges of the private sector and other government agencies in corporate system delivery. They will complement and support the expertise of City of Darwin's executive and the Project Management Office.

The ICT Steering Committee will not be involved in the day to day management of ICT, rather the purpose of this ICT Steering Committee is to:

- Oversee the implementation of the ICT Roadmap and provision of ICT Infrastructure, Networks and Security.
- Consider, evaluate and provide commercial, financial and risk recommendations regarding ICT projects and investment in future Information Technology (IT) capability.
- Provide guidance and recommendations regarding strategic investment priorities, decision making and project methodologies, and provide advice to Chief Executive Officer.
- Provide oversight and monitoring of IT implementation programs and schedules including the identification of key risks and dependencies and provide appropriate solutions and mitigation strategies that consider overarching return on ICT investments.
- Make recommendations to Council about any matters the committee considers appropriate in connection with Terms of Reference (TOR).

It is further proposed that this Committee consist of 5 members, comprising 1 Elected Member (plus an Alternate) and 4 external members, one of which will be the Chair of the Risk Management and Audit Committee. The Chief Executive Officer and General Managers will also participate in this committee. The Chair of the ICT Steering Committee will be an Independent Chair appointed by Council. Remuneration for external members will be consistent with the Northern Territory Government Statutory Bodies rate of remuneration which is a daily rate of \$959 for the Chair and \$719 for a member.

External members will be recruited from an expression of interest process. At least one external member will be qualified or have significant business experience in the field of ICT governance and project management, and at least one more will have expertise in commercial finance and contract management. Staff will look to recommend an additional member with complementary skills and experience.

Following approval, nominations will be sought from suitably qualified members of the community for the Expert Member positions. When these are appointed by Council, appointments of Elected Members will also be sought.

PREVIOUS COUNCIL RESOLUTION

At the 11 October 2022 meeting Council resolved:

1. THAT the report titled Enterprise IT Systems Mapping be received and noted.
2. THAT Council note the outcomes of the IT Architecture and Systems Mapping Review per **Attachment 1**.
3. THAT Council approve the provision of 4 additional Full Time Equivalent staff at a cost of up to \$700,000 per annum, for a minimum of 3 years, within a Project Management Office to deliver the outcomes of the IT Architecture Review and Systems Mapping Review.
4. THAT Council refer the 2022/23 half year \$350,000 funding for the Project Management Office to the first budget variation for provision.
5. THAT this report and any attachments be deemed confidential documents and be treated as such in accordance with Section 293(1) of the *Local Government Act 2019*.
6. THAT the documents remain confidential and that this decision be moved into Open at the end of the meeting.

STRATEGIC PLAN ALIGNMENT	6 Governance Framework 6.2 Roles and Relationships
BUDGET / FINANCIAL / RESOURCE IMPLICATIONS	Budget/Funding: Funding will be provided from within current budget.
LEGISLATION / POLICY CONTROLS OR IMPACTS	Legislation: Local Government Act
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>
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INFORMATION COMMUNICATION TECHNOLOGY STEERING COMMITTEE

TERMS OF REFERENCE
1270.001.E.R

GOVERNANCE

1 PURPOSE

The City of Darwin Information Communication Technology (ICT) Steering Committee is established in accordance with section 82 of the *Local Government Act 2019*. The purpose of the Committee is to ensure accountability and governance oversight of the ICT function, with a particular focus on assessment and monitoring of ICT projects, decision making and outcomes. In addition, the governance and oversight of ICT Infrastructure, Networks and Security.

2 SCOPE

In relation to the monitoring of ICT frameworks, the Committee will:

- consider officers reports and provide recommendations to Council as required
- provide a forum to enable matters to be reviewed and discussed.

3 AUTHORITY / DELEGATION

The ICT Steering Committee is subject to control and direction by the Council.

The ICT Steering Committee does not have any delegation to make decisions. The Committee can provide specialist advice based on members expertise, put recommendations to Council for endorsement, and may be responsible for oversight of any outcomes determined by Council resolution.

The Committee is authorised to, via the CEO:

- obtain any information it requires from any member of staff and/or external party
- discuss any matters with internal and/or external auditors, or other external parties
- request attendance of any member of staff at Committee meetings
- request external legal or other professional advice, as considered necessary to meet its responsibilities.

4 FUNCTIONS

In accordance with Section 83 of the *Local Government Act 2019* the ICT Steering Committee has the following functions assigned to it:

- Oversee the implementation of the ICT Roadmap and provision of ICT Infrastructure, Networks and Security ICT operations.
- Consider, evaluate and provide commercial, financial and risk recommendations regarding ICT projects and investment in future Information Technology (IT) capability.
- Provide guidance and recommendations regarding strategic investment priorities, decision making and project methodologies, and provide advice to Chief Executive Officer.

CITY FOR PEOPLE. CITY OF COLOUR.

ICT Steering Committee Terms of Reference 1270.001.E.R

Page 1 of 4

Version: 1

Decision Number: ORD410/21

Adoption Date:

Responsible Officer: Chief Executive Officer

Next Review Date:

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



ICT STEERING COMMITTEE 1270.001.E.R

GOVERNANCE

- (d) Provide oversight and monitoring of IT implementation programs and schedules including the identification of key risks and dependencies and provide appropriate solutions and mitigation strategies that consider overarching return on ICT investments.
- (e) Make recommendations to Council about any matters the committee considers appropriate in connection with Terms of Reference (TOR).

5 MEMBERSHIP

5.1 CHAIR

The Chair of the ICT Steering Committee will be an Independent Chair appointed by Council.

The Chair will be appointed from the external membership of the committee in accordance with section 82(2) of the *Local Government Act 2019* for a term of no greater than two years.

In addition to the duties and responsibilities as a committee member, the Chair shall:

- (a) provide leadership and direction to the ICT Steering Committee including overseeing meeting procedure at the meeting
- (b) ensure effective communication between the Committee, Chief Executive Officer, management, and
- (c) ensure the independence and objectivity of the committee functions are maintained.

5.2 MEMBERS

Membership of the committee will be appointed by Council resolution pursuant to section 82(2) of the *Local Government Act 2019*.

The Committee will comprise five (5) members:

- one (1) Elected Member
- one (1) Elected Member (alternate)
- three (4) External Members
 - one (1) of whom will be the Chair of the Risk Management and Audit Committee
 - at least one (1) be qualified or have significant business experience in the field of ICT governance and project management
 - at least one (1) be qualified or have significant business experience in the field of commercial finance and contract management
- the Chair is to be one the External Members, and may be the Chair of the Risk Management and Audit Committee
- the Committee may appoint a Deputy Chair for the purposes of chairing a meeting if the Chair is not present or at a meeting as required.
- preference will be given to local representation; however, the Council may appoint members from outside the Darwin local government area to ensure appropriate expertise
- the Chief Executive Officer or Acting Chief Executive Officer will attend all meetings.
- The Lord Mayor may attend as an ex-officio.

CITY FOR PEOPLE. CITY OF COLOUR.

ICT Steering Committee Terms of Reference 1270.001.E.R

Page 2 of 4

Version: 1

Decision Number:

Adoption Date:

Responsible Officer: Chief Executive Officer

Next Review Date:

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



ICT STEERING COMMITTEE 1270.001.E.R

GOVERNANCE

6 MEETINGS

The ICT Steering Committee will adhere to the requirements for meetings as outlined in the *Local Government Act 2019*, *Local Government (General) Regulations 2021* and *City of Darwin Policy, Meetings – 043*.

6.1 FREQUENCY OF MEETING AND LOCATION

Subject to direction by Council, the Committee will set its meeting schedule for the calendar year at the last meeting of the year prior.

The Committee will meet a minimum of four (4) times per year at times and dates set by the committee.

Special meetings can be convened by the Chief Executive Officer on the request of the Chair, or a majority of committee members. The Chief Executive Officer will then issue a Notice of Meeting with the time, date and location of the meeting, and the items to be discussed at the special meeting.

6.2 VOTING

A resolution of the committee will be passed by a majority vote. A majority vote is half plus 1 of the members present at the meeting.

The chair must exercise, in the event of an equality of votes, a second or casting vote.

7 CODE OF CONDUCT

All members are accountable to the *Local Government Act 2019* Code of Conduct, Schedule 1. This includes the requirement to declare gifts and/or benefits.

8 CONFLICT OF INTEREST

On appointment to a Committee, all members must identify if there are any conflicts of interest in performing their role on the committee.

Conflicts of Interest must also be identified at any meeting in which a member has a conflict of interest on a matter.

9 REVIEW AND PERFORMANCE EVALUATION

9.1 TERMS OF REFERENCE

The Terms of Reference will be reviewed every two (2) years by the Committee and formally approved by the Council.

9.2 PERFORMANCE EVALUATION

The Chief Executive Officer will initiate a review of the performance of the Committee at least once every two (2) years. The review will be on an internal assessment basis with appropriate input from the Council, Chief Executive Officer and senior staff, internal and external auditors, and any other relevant stakeholders.

CITY FOR PEOPLE. CITY OF COLOUR.

ICT Steering Committee Terms of Reference 1270.001.E.R		Page 3 of 4
Version: 1	Decision Number:	Adoption Date:
Responsible Officer: Chief Executive Officer		Next Review Date:

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



ICT STEERING COMMITTEE 1270.001.E.R

GOVERNANCE

10 RESPONSIBILITY / APPLICATION

All members of the committee will be asked to sign the Terms of Reference as part of their induction to the committee, to ensure they are aware of their responsibilities under the *Local Government Act 2019* as member of a Council appointed committee.

These Terms of Reference were adopted by Council on xx xx 2022.

Name: _____

Signature: _____

CITY FOR PEOPLE. CITY OF COLOUR.

ICT Steering Committee Terms of Reference 1270.001.E.R		Page 4 of 4
Version: 1	Decision Number:	Adoption Date:
Responsible Officer: Chief Executive Officer		Next Review Date:

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



15 RECEIVE & NOTE REPORTS**15.1 CHIEF EXECUTIVE OFFICER GIFTS AND BENEFITS REGISTER**

Author: Coordinator Councillor Governance and Support

Authoriser: Acting General Manager Corporate

Attachments: 1. Register of Declared Gifts and Benefits (Chief Executive Officer) [↓](#)

RECOMMENDATIONS

THAT the report entitled Chief Executive Officer Gifts and Benefits Register be received and noted.

PURPOSE

The purpose of this report is to provide the Chief Executive Officer (CEO) Register of Declared Gifts and Benefits to Elected Members.

KEY ISSUES

- City of Darwin is required by the *Local Government Act 2019* to have a policy for gifts and benefits received by Elected Members and the CEO.
- The CEO Gifts and Benefits Policy requires the contents of the CEO register of declared gifts and benefits to be presented to Council on an annual basis.

<p>DISCUSSION</p> <p>Regulation 6(1)(g) requires Council to adopt a policy on gifts and benefits for the CEO. At the Council Meeting on 17 May 2022, the CEO Gifts and Benefits Policy was adopted. The policy requires the contents of the CEO register of declared gifts and benefits to be presented to Council on an annual basis.</p> <p>The Register of Declared Gifts and Benefits (Chief Executive Officer) is presented at Attachment 1.</p>	
<p>PREVIOUS COUNCIL RESOLUTION</p> <p>At the 17 May 2022 meeting Council resolved:</p> <p>RESOLUTION ORD241/22</p> <p>Moved: Councillor Jimmy Bouhoris Seconded: Councillor Paul Arnold</p> <ol style="list-style-type: none"> 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 with a \$30 maximum limit for individual gifts. 3. THAT Council adopt the CEO Gifts and Benefits Policy at Attachment 2. <p style="text-align: right;">CARRIED 10/0</p>	
STRATEGIC PLAN ALIGNMENT	6 Governance Framework 6.4 Accountability
BUDGET / FINANCIAL / RESOURCE IMPLICATIONS	Nil
LEGISLATION / POLICY CONTROLS OR IMPACTS	<p>Legislation: <i>Local Government Act 2019</i></p> <p>Policy: CEO Gifts and Benefits Policy</p>
CONSULTATION, ENGAGEMENT & COMMUNICATION	Nil
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 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>



Register of Declared Gifts and Benefits (Chief Executive Officer)

Register kept by:	Chief Executive Officer
Register type:	Internal
Legislative reference:	Regulation 6(1)(g) of the <i>Local Government (General) Regulations 2021</i>
Document reference:	LGR 2.2
Records number:	
Last review date:	31/10/2022

[illegible]

16 REPORTS OF REPRESENTATIVES

17 QUESTIONS BY MEMBERS

18 GENERAL BUSINESS

Nil

19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday, 7 February 2023, 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

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 Risk Management and Audit Committee - Reappointments

This matter is considered to be confidential under Section 99(2) - 51(a) 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.

21 ADJOURNMENT OF MEETING AND MEDIA LIAISON



MINUTES

**Ordinary Council Meeting
Tuesday, 29 November 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, 29 NOVEMBER 2022 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Councillor Paul Arnold, Councillor Jimmy Bouhoris, Councillor Kim Farrar, Councillor Sylvia Klonaris, Councillor Brian O'Gallagher, Councillor Mick Palmer, Councillor Peter Pangquee, Councillor Morgan Rickard, Councillor Ed Smelt, Councillor Amye Un
- OFFICERS:** Simone Saunders (Chief Executive Officer), Chris Kelly (Acting General Manager Corporate), Matt Grassmayr (General Manager Community), Alice Percy (General Manager Innovation)
- Gemma Perkins (Coordinator Councillor Governance and Support), Ruiha Maskovich (Council Protocols and Grants Officer), Irene Frazis (Executive Manager Finance), Emma Struys (Executive Manager Growth and Economic Development), Angela O'Donnell (Executive Manager Community and Cultural Services), Jedda Bennett-Kellam (Coordinator Civil Infrastructure), Fred McCue (Public Relations and External Affairs Advisor)
- NOT PRESENT:** Deputy Lord Mayor Vim Sharma, Councillor Rebecca Want de Rowe
- GUESTS:** Darwin Living Lab

WEBCASTING DISCLAIMER

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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 ORD156/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Amye Un

The Chair declared the meeting open at 5.34 pm.

CARRIED 11/0**4 APOLOGIES AND LEAVE OF ABSENCE****4.1 APOLOGIES**

NIL

4.2 LEAVE OF ABSENCE GRANTED

NIL

4.3 LEAVE OF ABSENCE REQUESTED

NIL

5 ELECTRONIC MEETING ATTENDANCE**5.1 ELECTRONIC MEETING ATTENDANCE GRANTED**

NIL

5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED

NIL

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

6.1 DECLARATION OF INTEREST BY MEMBERS

RESOLUTION ORD157/22

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Paul Arnold

- A. THAT Council note that pursuant to Section 114 & 115 of the *Local Government Act 2019*, Councillor Peter Pangquee, declared a Conflict of Interest in Item 26.5
- B. THAT Council note that pursuant to Section 114 & 115 of the *Local Government Act 2019*, Councillor Mick Palmer, declared a Conflict of Interest in Item 26.5

CARRIED 11/0

6.2 DECLARATION OF INTEREST BY STAFF

NIL

7 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION ORD158/22

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Ed Smelt

That the minutes of the Ordinary Council Meeting held on 15 November 2022 be confirmed.

CARRIED 11/0

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 NIGHTCLIFF VILLAGE MASTERPLAN****RESOLUTION ORD159/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Morgan Rickard

1. THAT the report entitled Nightcliff Village Masterplan be received and noted.
2. THAT Council endorse the Nightcliff Village Masterplan to be released for public comment.
3. THAT this report and any attachments be deemed confidential documents and be treated as such in accordance with Section 293(1) of the *Local Government Act 2019*.
4. THAT the documents remain confidential until they are released for Public comment and that this decision be moved into Open at the end of the meeting.

CARRIED 11/0**26.2 ENDORSEMENT OF FOOTBALL NT PROPOSED FACILITIES - FANNIE BAY AND MALAK OVALS****RESOLUTION ORD160/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Amye Un

1. THAT the report entitled Endorsement of Football NT proposed facilities – Fannie Bay and Malak Ovals be received and noted.
2. THAT Council provide approval for Football NT to proceed with design and construction of the proposed facilities at Fannie Bay and Malak Oval as detailed in **Attachments 1 and 2**, subject to the following conditions:
 - (a) That appropriate approvals for construction and certification requirements are met for the building structures.
 - (b) The building design is amended to ensure the Universal Accessible Toilet can be accessed without needing to enter through the parenting room or medical room and all pathways, ramps (if required) and general access meet or exceed Australian standards.
 - (c) That City of Darwin representative/s join the Project Control Group.
 - (d) That on practical completion and certification of the building structures, the facilities at Fannie Bay and Malak Oval become assets of City of Darwin and that a Deed of Agreement is established with Football NT for use of the facilities.
3. THAT Council refer an annual ongoing allocation of \$74,000 for the maintenance of Fannie Bay and Malak Ovals facilities to the 2022/23 Budget deliberations.
4. THAT this report and any attachments be deemed confidential documents and be treated as such in accordance with Section 293(1) of the *Local Government Act 2019*.
5. THAT the documents remain confidential and that this decision be moved into Open at the end of the meeting.

CARRIED 11/0

26.3 UPDATE ON BOM WEATHER STATION AT EAST POINT RESERVE**RESOLUTION ORD161/22**

Moved: Councillor Morgan Rickard

Seconded: Councillor Ed Smelt

1. THAT the report entitled Update on BOM weather station at East Point Reserve be received and noted.
2. THAT Council resolve to change the length of lease to Commonwealth of Australia as represented by the Bureau of Meteorology (BOM) from a 10 year plus 10-year option as per resolution ORD428/21 to a 12-year lease with no option to renew.
3. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to negotiate and finalise the lease and terms and conditions.
4. THAT this report and any attachments be deemed confidential documents and be treated as such in accordance with Section 293 (1) of the *Local Government Act 2019*.
5. THAT the documents remain confidential, and that this decision be moved into Open at the end of the meeting.

CARRIED 11/0**26.8 UPDATE ON NEURON AGREEMENT****RESOLUTION ORD162/22**

Moved: Councillor Kim Farrar

Seconded: Councillor Paul Arnold

1. THAT the report entitled Update on Neuron Agreement be received and noted.
2. THAT Council endorse a 3-month extension from 28 November 2022 to 28 February 2023 to operate on City of Darwin land within the current geospatial area and conditions.
3. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to negotiate the terms for the provision of Neuron e-bikes and scooters within the City of Darwin Municipality for an additional three months.
4. THAT this report and any attachments be deemed confidential documents and be treated as such in accordance with Section 293 (1) of the *Local Government Act 2019*.
5. THAT the documents remain confidential, and that this decision be moved into Open at the end of the meeting.

CARRIED 10/1**27.2 2022 PRE-CYCLONE CLEAN UP UPDATE AND PROPOSED IMPROVEMENTS****RESOLUTION ORD163/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Amye Un

1. THAT the report entitled 2022 Pre-Cyclone Clean Up Update and Proposed Improvements be received and noted.
2. THAT this report and any attachments be deemed confidential documents and be treated as

such in accordance with Section 293(1) of the *Local Government Act 2019*.

3. THAT the documents remain confidential and that this decision be moved into Open at the end of the meeting.

CARRIED 11/0

9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

NIL

10 PUBLIC QUESTION TIME

Questions received from Robin Knox

11 PETITIONS

NIL

12 DEPUTATIONS AND BRIEFINGS

12.1 DARWIN LIVING LAB

RESOLUTION ORD164/22

Moved: Councillor Mick Palmer

Seconded: Councillor Morgan Rickard

THAT the the presentation from Darwin Living Lab, in relation to the research to support the vision of Darwin as a cooler and more liveable tropical city, be received and noted.

CARRIED 11/0

13 NOTICES OF MOTION

13.1 NOTICE OF MOTION - SALE OF WALKWAY 239, COCONUT GROVE

I, Councillor Ed Smelt, give notice that at the next Ordinary Council Meeting on 29 November 2022, I will move the following motion:-

RESOLUTION ORD165/22

Moved: Councillor Ed Smelt

Seconded: Councillor Morgan Rickard

1. THAT Council endorse officers to continue the process to sell walkway 239, Coconut Grove.
2. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to negotiate the terms and conditions for the sale of walkway 239, Coconut Grove.
3. THAT Council write to the Minister for Local Government to seek approval to permanently close walkway 239, Coconut Grove.
4. THAT a report is presented to Council prior to the sale of walkway 239, Coconut Grove presenting the outcomes of the sale negotiations.

CARRIED 11/0

Councillor Amye Un departed the meeting at 5:56 pm.

14 ACTION REPORTS

14.1 DEVELOPMENT APPLICATION - LOT 7587 (68) MITCHELL STREET, DARWIN

RESOLUTION ORD166/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Mick Palmer

1. THAT the report entitled 'Development Application - Lot 7587 (68) Mitchell Street, Darwin' be received and noted.
2. THAT Council approves the removal of the seven on-street car parking bays in Mott Court.
3. THAT Council seeks a financial contribution for the seven bays, and that the contribution is payable to the amount detailed in Council's Car Parking Contribution Plan – Central Business Zone.
4. THAT Council approves the sunshades located in the road reserve and pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to finalise a permit for proposed building elements over the road reserve.
5. THAT Council does not support any substation doors opening out over the City of Darwin footpath, or road reserve.
6. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to finalise all works pertaining to relocation of the Right of Way Easement through Lot 7587, aligning the easement up with the pedestrian access through the site, as approved through the development process.

CARRIED 10/0

Councillor Amye Un re-joined the meeting at 5:57 pm.

14.2 SUBMISSION TO INQUIRY INTO COMMUNITY SAFETY, SUPPORT SERVICES AND JOB OPPORTUNITIES IN THE NORTHERN TERRITORY**RESOLUTION ORD167/22**

Moved: Councillor Mick Palmer

Seconded: Councillor Ed Smelt

1. THAT the report entitled Submission to Inquiry into Community Safety, Support Services and Job Opportunities be received and noted.
2. THAT Council endorse the draft submission at **Attachment 1** for the Inquiry into Community Safety, Support Services and Job Opportunities in the Northern Territory.

CARRIED 11/0**14.3 COMMUNITY CONSULTATION OUTCOME - WALKWAY 191 - KOOLAMA CRESCENT TO MCMILLANS ROAD KARAMA****RESOLUTION ORD168/22**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Sylvia Klonaris

1. THAT the report entitled Community Consultation Outcome – Walkway 191 Koolama Crescent to McMillans Road Karama be received and noted.
2. THAT Council approve the night-time closure of Walkway 191 from 9:30pm to 5:30am, seven days per week.

CARRIED 11/0**14.4 REVIEW CHIEF EXECUTIVE OFFICER CODE OF CONDUCT POLICY****RESOLUTION ORD169/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Amye Un

1. THAT the report entitled Review Chief Executive Officer Code of Conduct Policy be received and noted.
2. THAT Council adopts the revised CEO Code of Conduct at **Attachment 1**.

CARRIED 11/0

14.5 MAJOR PROJECT FINANCIAL THRESHOLD

MOTION

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Paul Arnold

1. THAT the report entitled Major Project Financial Threshold be received and noted.
2. THAT Council approve the financial threshold for reporting on major capital projects for the monthly financial report be set at \$10 million per project.

RESOLUTION ORD170/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Paul Arnold

1. THAT the report entitled Major Project Financial Threshold be received and noted.
2. THAT Council approve the financial threshold for reporting on major capital projects for the monthly financial report be set at \$5 million per project.

CARRIED 11/0

14.6 NOMINATION TO THE NEIGHBOURHOOD WATCH NT BOARD

RESOLUTION ORD171/22

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Morgan Rickard

1. THAT the report entitled Nomination to the Neighbourhood Watch NT Board be received and noted.
2. THAT Council endorse the nomination of Councillor Brian O'Gallagher to the Neighbourhood Watch NT Board.

CARRIED 11/0

Councillor Mick Palmer departed the meeting at 6:13 pm.

15 RECEIVE & NOTE REPORTS

15.1 MONTHLY FINANCIAL REPORT - OCTOBER 2022

RESOLUTION ORD172/22

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Amye Un

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

CARRIED 10/0

Councillor Mick Palmer re-joined the meeting at 6:15 pm.

Item 15.3 and 15.4 were considered as the next Items of business

15.3 PLAY SPACE STRATEGY 2022-2030 CONSULTATION OUTCOMES

RESOLUTION ORD173/22

Moved: Councillor Ed Smelt

Seconded: Councillor Peter Pangquee

1. THAT the report entitled Play Space Strategy 2022-2030 Consultation Outcomes be received and noted.
2. THAT Council note that the finalised Play Space Strategy be presented to Council for endorsement in early 2023.

CARRIED 11/0

15.4 DARWIN LIVING LAB UPDATE

RESOLUTION ORD174/22

Moved: Councillor Morgan Rickard

Seconded: Lord Mayor Kon Vatskalis

THAT the report entitled Darwin Living Lab Update be received and noted.

CARRIED 11/0

15.2 REVIEW OF MUNICIPAL NON DEFAULT SPEED LIMITS - PROGRESS REPORT

RESOLUTION ORD175/22

Moved: Councillor Mick Palmer

Seconded: Councillor Morgan Rickard

THAT the report entitled Review of Municipal Non-Default Speed Limits – Progress Report be received and noted.

CARRIED 11/0

15.5 POLICY MANAGEMENT - 23RD COUNCIL POLICY REVIEW SCHEDULE

RESOLUTION ORD176/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Mick Palmer

1. THAT the report entitled Policy Management – 23rd Council Policy Review Schedule be received and noted.
2. THAT Council notes the list of policies contained within the report which are scheduled for review and adoption at the nominated meeting dates and no later than 30 June 2023.

CARRIED 11/0

16 REPORTS OF REPRESENTATIVES**RESOLUTION ORD177/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Morgan Rickard

THAT the following Reports of Representatives be received and noted.

16.1

Councillor Amye Un reported that she attended the International Men's Day Forum. Listened to the stories from the men,. they are trying their best and working hard to improve their skills. Thank you to the team and General Manager Community.

16.2

Councillor Peter Pangquee reported on attending the LGANT Annual General Meeting and acknowledged that the Lord Mayor was elected President for another term, along with his own. Also in attendance was seven (7) Ministers and sixteen (16) Councils and the main focus topics being discussed was anti-social behaviour, the impact and things that can be done in the community. For example creating cyclone shelters in the community, allowing people to stay in the community as opposed to being transferred to Darwin or Katherine.

Councillor Peter Pangquee also reported on his attendance to the Reconciliation Action Plan (RAP) Advisory Committee meeting on the 14 November 2022. The main work focus is a new RAP, which will hopefully come to Council for review in April/May 2022. Also attended the Top End Tourism Board, and Tree Committee Meeting.

16.3

The Lord Mayor reported on attending the LGANT Annual General Meeting with Councillor Peter Pangquee. First day was workshops, participated in excellent presentation on Advocacy and how to lobby your Government to achieve what you want, and to use your full capacity and engagement of your people to engage the Government. This was the first time that the whole cabinet attended, and LGANT now has a commitment from the Chief Minister of the Northern Territory to attend these meetings twice a year.

16.4

Councillor Sylvia Klonaris reported that herself and Councillor Kim Farrar represented for the City of Darwin (CoD) at the Darwin City Brass Band christmas party. Very heartwarming to see a young audience learning how to play instruments. I would like to see how we can promote or provide some sponsorship and contribute more to the children who do play there.

16.5

Councillor Kim Farrar passed on messages to the CoD and the Lord Mayor from Ron the Brass Band leader that they really appreciate the support from CoD. I met some really interesting people, including an amazing man called Frank Haddick, an 86 year old resident from Wulagi who was a volunteer with Saint John's for 21 years, and has been a brass band member for 40 years. I was sad to hear his struggles with accessibility issues with his mobility scooter at his residence, and asked if CoD could do something with the footpaths in his area.

16.6

Councillor Morgan Rickard reported on attending the final Arts and Culture meeting for the year, and it was a great group. I just wanted to give credit to the Chair, who does a great job. It is pleasing to see how engaged the arts community is at the Local Government level, which is supported by the great work that the broader communities and teams do through our small grants programs etc. One of the outcomes of the great work that the team has done, is that I got to see progress photos for the upcoming installation of the mermaid tail that is being put in the Esplanade next year.

16.7

Councillor Jmmy Bouhoris reported on attending the Christmas pageant, it was the greatest thing to be a part of. I would like to say thank you to the staff who worked hard along side with the Activate Darwin Crew. Also to my fellow Councillor Paul Arnold, for his judging on the day and to the Laksa Queen who was the very best dressed person on the float. Once again CoD has gone above and beyond, this is the first and probably one of the best things that I have been involved in for the past 6 years. I would like the support of the Councillors to make sure we give the appropriate monies to ensure that this event is bigger and better next year.

CARRIED 11/0**17 QUESTIONS BY MEMBERS****17.1 CHAN WARD - TREE PLANTING PROJECT****RESOLUTION ORD178/22**

Moved: Councillor Morgan Rickard

Seconded: Councillor Ed Smelt

Question:

Councillor Ed Smelt requested an update on the Better Surburbs Projects for Chan Ward – Tree planting project for Fizner Drive. This was planned to be completed before Christmas, would like to know when this will be happen?

Answer: The Acting General Manager Corporate Services, took the question on notice and will provide a response

.CARRIED 11/0**17.2 GYM EQUIPMENT - WANGURI OVAL****RESOLUTION ORD179/22**

Moved: Councillor Morgan Rickard

Seconded: Councillor Ed Smelt

Question:

Councillor Jimmy Bohouris enquired about the gym equipment at Wanguri Oval and where are we at?

Answer:

The Coordinator Civil Infrastructure advised that they are currently doing a safety investigation on the proposal, and that a tender has been awarded to complete the work, waiting on ordering the equipment. Once received, there is an expected 6 to 8 weeks for delivery, and a couple of weeks to install. Expected completion is in about 3 months time.

CARRIED 11/0

17.3 EAST POINT GYM - LIGHTING**RESOLUTION ORD180/22**

Moved: Councillor Morgan Rickard

Seconded: Councillor Ed Smelt

Question:

Councillor Amye Un enquired asked the Bar Brothers and Sisters regarding Councillors Paul Arnolds question regarding lighting. I would like to know if you can provide information on what light was fixed at the east point gym?

Answer:

The General Manager Community responded and advised that the Bar Brothers have a proposal and they want to come to the Council to utilise grant funds, and one of the options they are looking at is to add additional lighting into the gym at East Point. They need to find out if they can transfer the funds, and if they can they will come to the Council with a proposal on how they want to spend the monies.

CARRIED 11/0**17.4 NINJA PARK - EXPECTED COMPLETION DATE****RESOLUTION ORD181/22**

Moved: Councillor Morgan Rickard

Seconded: Councillor Ed Smelt

Question:

Councillor Kim Farrar enquired about Ninja Park and when is this going ahead, and has the tender been awarded. Would like to invite to Brass Band to the opening?

Answer: The Coordinator Civil Infrastructure advised that the tender has been awarded, and we are getting ready to order the equipment, 6-8 weeks delivery plus 2-3 weeks for installation.. Expected completion is in about 3 months time.

CARRIED 11/0**17.5 MARRARA - PATHWAY CONSTRUCTION FOR PLAYGROUND****RESOLUTION ORD182/22**

Moved: Councillor Morgan Rickard

Seconded: Councillor Ed Smelt

Question:

Councillor Brian O'Gallagher requested an update on pathway construction for playground in Mararra.

Answer:

The Acting General Manager Corporate Services, took the question on notice and will provide a response.

CARRIED 11/0

18 GENERAL BUSINESS**18.1 CHRISTMAS PAGEANT****RESOLUTION ORD183/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Brian O'Gallagher

The Lord Mayor would like to congratulate everyone that was involved in the Christmas pageant. First time since 1977, fifty floats and seven thousand people attended. Only disappointment is that many of the food shops were closed. It was a great opportunity to bring the community together, the good thing is that the people who attended the pageant also attended the Christmas tree lighting.

CARRIED 11/0

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

THAT the next Ordinary Meeting of Council be held on Tuesday, 6 December 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 Nightcliff Village Masterplan

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 Endorsement of Football NT Proposed Facilities - Fannie Bay and Malak Ovals

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.

26.3 Update on BOM Weather Station at East Point Reserve

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 Proposed Changes to Parking

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.

26.5 Lot 7651 Development Proposal

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.

26.6 Electric Vehicle Charger Opportunity

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.

26.7 Street Food Permit Fee

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.

26.8 Update on Neuron Agreement

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 Nightcliff Library Expression of Interest

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.

27.2 2022 Pre-Cyclone Clean Up Update and Proposed Improvements

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 Making Mindil Safe Update

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

21 Adjournment of Meeting and Media Liaison

21.1 ADJOURNMENT OF MEETING AND MEDIA LIAISON

RESOLUTION ORD184/22

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Kim Farrar

THAT the open section of the meeting be adjourned at 6.59 pm

CARRIED 11/0

THAT the open section of the meeting be resumed at 8.50 pm

THAT the chair declared the meeting closed at 8.50 pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 6 December 2022.

.....
CHAIR