



# **AGENDA**

## **Ordinary Council Meeting Wednesday, 26 April 2023**

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

**Date: Wednesday, 26 April 2023**

**Time: 5:30pm**

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

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

**Simone Saunders  
Chief Executive Officer**

**ORDINARY COUNCIL MEMBERS**

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

Deputy Lord Mayor Kim Farrar

Councillor Paul Arnold

Councillor Jimmy Bouhoris

Councillor Sylvia Klonaris

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**

Chief Executive Officer, Simone Saunders

General Manager Community, Matt Grassmayr

General Manager Corporate, Steve Thacker

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**

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**5 ELECTRONIC MEETING ATTENDANCE**

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Ordinary Council Meeting - 11 April 2023

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Nil

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**12 DEPUTATIONS AND BRIEFINGS**

**12.1 Nil**

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Nil

## 14 ACTION REPORTS

### 14.1 REVIEW OF UNSOLICITED PROPOSALS POLICY

**Author:** Executive Manager Corporate and Customer Services

**Authoriser:** General Manager Corporate

**Attachments:** 1. Unsolicited Proposals Policy (tracked changes) [↓](#)  
2. Unsolicited Proposals Policy (consolidated version) [↓](#)

#### RECOMMENDATIONS

1. THAT the report entitled Review of Unsolicited Proposals Policy be received and noted.
2. THAT Council adopt the revised Unsolicited Proposals Policy at **Attachment 2**.

#### PURPOSE

The purpose of this report is to present the reviewed Unsolicited Proposals Policy for Council approval.

#### KEY ISSUES

- The framework for Unsolicited Proposals has been reviewed.
- The policy, and process outlined on the Council website, have been reviewed.
- The process has been successfully used recently, therefore no major changes are proposed to the policy.

**DISCUSSION**

As part of the Policy Review Schedule, City of Darwin's requirements for Unsolicited Proposals have been reviewed. This includes the policy and process guidance available on the City of Darwin website.

The policy and process are working well, and no major changes are proposed. Editorial changes are recommended in **Attachment 1** and a consolidated version provided for adoption at **Attachment 2**.

Responsibility for unsolicited proposals continues to sit with the CEO. The CEO will establish a panel at the commencement of the process, drawing on internal expertise and experience as required. Further to this, to ensure transparency, disclosure of outcomes from any Unsolicited Proposals will now also be made available on the City of Darwin website.

Guidance for proponents on the Unsolicited Proposals procedure that implements the requirements of the policy continues to be available on the City of Darwin website.

**PREVIOUS COUNCIL RESOLUTION**

At the 15 June 2021 meeting Council resolved:

1. THAT the report entitled Review of Policy 088 - Unsolicited Proposals be received and noted.
2. THAT Council endorse the revised Policy 088 - Unsolicited Proposals

<b>STRATEGIC PLAN ALIGNMENT</b>	4 A Smart and Prosperous City 4.2 By 2030, Darwin will have attracted and retained more residents and will offer sustainable investment opportunities
<b>BUDGET / FINANCIAL / RESOURCE IMPLICATIONS</b>	N/A
<b>LEGISLATION / POLICY CONTROLS OR IMPACTS</b>	N/A
<b>CONSULTATION, ENGAGEMENT &amp; COMMUNICATION</b>	N/A
<b>DECLARATION OF INTEREST</b>	<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

The Unsolicited Proposals Policy recognises there may be occasions where there is justification and benefit to the Darwin community in dealing exclusively with a single proponent. City of Darwin will consider unsolicited proposals on merit and in the context of City of Darwin priorities.

## 2 SCOPE

The policy covers ideas individuals or organisations want to undertake either in partnership with or utilising City of Darwin assets or resources. Such proposals can have the potential to help City of Darwin deliver on its strategic plan through partnerships with people and organisations that share a common strategic vision for Darwin.

## 3 POLICY STATEMENT

As the Northern Territory's capital, City of Darwin welcomes and encourages innovation and creative, efficient delivery against the Strategic Objectives of *Darwin 2030*.

A framework for unsolicited proposals recognises there may be occasions where there is justification and benefit to the Darwin community in dealing exclusively with a single proponent. This will generally arise where proposals contain outcomes that:

- incorporate intellectual property or commercially sensitive information
- provide software and technology offering a unique benefit
- incorporate unique financial/funding arrangements
- demonstrate other new, unique, or innovative elements that would not be entirely realised or available through an open, competitive process.

However, City of Darwin will not consider applications that:

- propose to provide widely available goods or services
- are a request for a grant, sponsorship, donation, or operating subsidy
- requires City of Darwin to procure in a manner not permitted
- responds to an active, upcoming, or recently concluded expression of interest, request for quote/proposal or tender process.

The Chief Executive Officer will form a panel of no less than three staff members, which may include the Chief Executive Officer, to formally assess a proposal.

Unsolicited Proposals Policy 0088.100.E.R		Page 1 of 3	
Version: <u>32</u>	Decision Number: <u>0088.100.E.R</u>	Adoption <u>15/06/2024</u>	Date: <u>26/04/2023</u>
Responsible Officer: <u>Chief Financial Officer/Chief Executive Officer</u>		Next Review <u>15/06/2023</u>	Date: <u>26/04/2027</u>



## UNSOLICITED PROPOSALS POLICY 0088.100.E.R

GOVERNANCE

A proposal will be assessed against the assessment criteria. To satisfy the assessment criteria, the proponent will need to demonstrate the following:

- how the proposal contributes to City of Darwin achieving its Strategic Objectives in *Darwin 2030*
- why the proposal should be treated outside the City of Darwin competitive procurement process
- how the proposal provides net public benefit for City of Darwin (including economic, social and environmental outcomes)
- that the project is feasible, including consideration of the commercial, financial, legal, regulatory, technical, environmental, social and practical feasibility of the proposal
- that risk is appropriately allocated, namely the proponent has identified key risks and demonstrated the degree and nature of risks for City of Darwin (if any) are appropriate and acceptable
- anticipated costs and timeframes, including what is required from City of Darwin
- how the proponent has the technical expertise and capacity to deliver on its commitments outlined in the proposal.

Following an initial assessment based on the information provided, City of Darwin staff may engage on an exclusive basis with the Proponent where City of Darwin is satisfied that direct negotiations with the proponent is in the public interest. Following independent assessment by City of Darwin staff, final approval to deal exclusively with the proponent to deliver the proposal will be provided by Council resolution. The report provided to Council will include assessment of each of the 8 criteria above, along with an overall recommendation.

Following the assessment process, City of Darwin will disclose the proposals considered and the outcome of the assessment process.

The process for developing and assessing an unsolicited proposal will require the commitment of resources by both the proponent and City of Darwin. While this policy seeks to minimise the costs to the proponent, City of Darwin will not reimburse costs associated with the unsolicited proposals process incurred by the proponent.

#### 4 DEFINITIONS

**In-Principle** – a non-binding agreement between parties that mutually acknowledges the fundamental terms and concepts that are intended to be formalised.

**Unsolicited Proposal** – is an approach to City of Darwin from a proponent with a proposal to deal directly with City of Darwin over a commercial proposition, where the City of Darwin has not requested the proposal.

#### 5 LEGISLATIVE REFERENCES

Local Government Act and associated Regulations.

#### 6 PROCEDURES AND RELATED DOCUMENTS

~~Unsolicited Proposals Procedure~~ Nil

CITY FOR PEOPLE. CITY OF COLOUR.

Unsolicited Proposals Policy 0088.100.E.R		Page 2 of 3	
Version: <u>32</u>	Decision Number: <u>ORD22423</u>	Adoption <u>15/06/2024</u>	Date: <u>26/04/2023</u>
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UNSOLICITED PROPOSALS POLICY 0088.100.E.R

7 RESPONSIBILITY AND APPLICATION

City of Darwin does not have a universal exemption to accept Unsolicited Proposals that involve expending public resources. City of Darwin may consider Unsolicited Proposals where City of Darwin’s commitment involves leasing or sale of land, disposal of assets, exempt procurement activity or a commercial arrangement with no procurement.

The Chief Executive Officer is accountable for the overall management of the Unsolicited Proposals Policy. The Unsolicited Proposals Policy will be reviewed every ~~two (2)~~four (4) years or at such other time as necessary.

GOVERNANCE

CITY FOR PEOPLE. CITY OF COLOUR.

Unsolicited Proposals Policy 0088.100.E.R		Page 3 of 3	
Version: <u>32</u>	Decision Number: <u>ORD52423</u>	Adoption <u>15/06/2024</u> <u>26/04/2023</u>	Date:
Responsible Officer: <u>Chief Financial Officer</u> <u>Chief Executive Officer</u>		Next Review <u>15/06/2023</u> <u>26/04/2027</u>	Date:





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Unsolicited Proposals Policy 0088.100.E.R		Page 1 of 3
Version: 3	Decision Number:	Adoption Date: 26/04/2023
Responsible Officer: Chief Executive Officer		Next Review Date: 26/04/2027

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



## UNSOLICITED PROPOSALS POLICY 0088.100.E.R

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#### 5 LEGISLATIVE REFERENCES

*Local Government Act* and associated Regulations.

#### 6 PROCEDURES AND RELATED DOCUMENTS

Nil

CITY FOR PEOPLE. CITY OF COLOUR.

Unsolicited Proposals Policy 0088.100.E.R		Page 2 of 3
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## UNSOLICITED PROPOSALS POLICY 0088.100.E.R

GOVERNANCE

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The Chief Executive Officer is accountable for the overall management of the Unsolicited Proposals Policy. The Unsolicited Proposals Policy will be reviewed every four (4) years or at such other time as necessary.

CITY FOR PEOPLE. CITY OF COLOUR.

Unsolicited Proposals Policy 0088.100.E.R		Page 3 of 3
Version: 3	Decision Number:	Adoption Date: 26/04/2023
Responsible Officer: Chief Executive Officer		Next Review Date: 26/04/2027

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**14.2 FRIENDSHIP CITY PROPOSAL WITH THE BACOLOD CITY, NEGROS OCCIDENTAL, PHILIPPINES**

**Author:** Manager International Business Relations  
Executive Manager Growth & Economic Development

**Authoriser:** Executive Manager Growth & Economic Development

**Attachments:** 1. Friendship City Proposal with Bacolod City [↓](#)

**RECOMMENDATIONS**

1. THAT the report entitled Friendship City Proposal with the Bacolod City, Negros Occidental, Philippines be received and noted.
2. THAT Council endorse for officers to pursue a Friendship City relationship with Bacolod City.

**PURPOSE**

This report aims to provide Council with a Friendship City proposal from Bacolod City, Negros Occidental, The Philippines, and to seek endorsement to continue efforts to establish a Friendship City relationship with the City of Bacolod.

**KEY ISSUES**

- City of Darwin International Relations and Sister City Policy 053 provides the framework for Councils relationships with international governments of cities, regions and districts in other nations.
- The Consulate General of The Philippines Darwin sent a proposal to City of Darwin, putting forward interest in establishing a Friendship City relationship between Bacolod City and City of Darwin on 7 November 2022.
- The Sister City Advisory Committee reviewed the proposal and recommended Council consider establishing a Friendship City relationship with the City of Bacolod on 23 November 2022.
- In accordance with the International Relations Policy framework, a Friendship City agreement is a strategic partnership.

**DISCUSSION**

Council resolved to commence a proposal for a Friendship City relationship with the government from Davao City, the Philippines in July 2022. To date, City of Darwin has not had a response from the Mayor's office of Davao City. This proposal originated from the Filipino Association of the NT. The President of the Filipino Association was contacted by the City of Darwin in November 2022 to leverage their connection in Davao and follow up on the proposal. City of Darwin was advised of their attempts to contact the Mayor's office of the City of Davao early this year and are waiting for a response. The City of Darwin will continue to pursue a response from the City of Davao, The Philippines.

The Philippine Honorary Consul General Darwin, Mr. John Rivas AM, therefore, suggested establishing a Friendship City with Bacolod City. Please see the Friendship City proposal from Bacolod City in **Attachment 1**.

As advised, since 2012, the City of Bacolod and the Province of Negros Occidental have established strong links with Darwin and the Northern Territory Government in terms of education and training, businesses, sports, and cultural exchange.

This report recommends Council acknowledge and support the Friendship City proposal with Bacolod city and endorses for City of Darwin officers to continue the discussion with the Bacolod Government.

The Sister City Advisory Committee reviewed the proposal and recommended Council to consider establishing a Friendship City relationship with the City of Bacolod on 23 November 2022. It is noted that it is important to continue establishing Friendship City relations with the City of Davao.

The below criteria is used for a primary assessment to consider entering any international city relationship:

- People to People Relations: It is desirable that there is an existing economic, social or cultural link between the candidate city and City of Darwin to act as a foundation for building and sustaining the relationship,
- Gross Domestic Product: There should be comparable, larger or of an equivalent proportional GDP ratio of the country to the region for the candidate city with City of Darwin,
- Growth: Candidate cities should have favourable growth rates,
- Economic Activity: Candidate cities should have strong trade activity,
- Potential: Candidate cities should be identified as priorities for future development,
- Investment: Candidate cities should have the potential for mutual investment,
- Commercialisation: Candidate cities should have the potential for cooperation in commercially applicable research,
- Academic organisations: Candidate cities should have academic institutions such as colleges, universities, and research centres,
- Innovation: Candidate cities should encourage new technologies, research, and invention,

- Tourism: Candidate cities should provide some opportunities to increase tourism activity, and
- Affiliations: Candidate cities should have a Chamber of Commerce or other business or industry associations – or if equivalent bodies are not the custom in the country, somebody through which the Chamber of Commerce and Industry in Darwin may engage with business entities in that City or state/province.

Subject to approval from Council, the City of Darwin will establish contacts and direct communication with Bacolod Government. With some additional information City of Darwin can proceed to assess the Friendship City proposal with the above criteria. City of Darwin will provide a more detailed report to Council, along with a formal letter from the Mayor of Bacolod and the draft Memorandum of Understanding on Friendship City's relationship with the Bacolod City Government for approval once ready.

#### PREVIOUS COUNCIL RESOLUTION

At the 25 May 2021 meeting Council resolved:

1. THAT the report entitled Friendship City Proposal for City of Kochi, India and Davao City, Philippines be received and noted.
2. THAT Council supports the commencement of Friendship City Relationships with the governments from City of Kochi, India, and Davao City, the Philippines.

At the 26 July 2022 meeting Council resolved:

1. THAT Council endorse the proposed International Relations and Sister City Policy 053.

<b>STRATEGIC PLAN ALIGNMENT</b>	4 A Smart and Prosperous City 4.2 By 2030, Darwin will have attracted and retained more residents and will offer sustainable investment opportunities								
<b>BUDGET / FINANCIAL / RESOURCE IMPLICATIONS</b>	<table> <tr> <td><b>Budget/Funding:</b></td><td>NA</td></tr> <tr> <td><b>Is Funding identified:</b></td><td>NA</td></tr> <tr> <td><b>Existing Position No:</b></td><td>NA</td></tr> <tr> <td><b>Contractor:</b></td><td>NA</td></tr> </table>	<b>Budget/Funding:</b>	NA	<b>Is Funding identified:</b>	NA	<b>Existing Position No:</b>	NA	<b>Contractor:</b>	NA
<b>Budget/Funding:</b>	NA								
<b>Is Funding identified:</b>	NA								
<b>Existing Position No:</b>	NA								
<b>Contractor:</b>	NA								
<b>LEGISLATION / POLICY CONTROLS OR IMPACTS</b>	<p><b>Legislation:</b> <i>Local Government Act 2019</i></p> <p><b>Policy:</b> Policy 053 International Relations and Sister City</p>								

<p><b>CONSULTATION, ENGAGEMENT &amp; COMMUNICATION</b></p>	<p><b>Engagement Level:</b> Consult</p> <p><b>Tactics:</b> N/A</p> <p><b>Internal:</b> N/A</p> <p><b>External:</b> Sister City Advisory Committee International Relations Advisory Committee Email and phone contact with Bacolod City Government Formal letter to Bacolod City</p>
<p><b>DECLARATION OF INTEREST</b></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>



**CONSULATE GENERAL OF THE PHILIPPINES  
DARWIN, NORTHERN TERRITORY, AUSTRALIA**

Ms. Cherry Cai  
Manager, International Business Relations  
Darwin City Council Friendship City Relations  
Darwin, NT, Australia

**Re: Bacolod City, Negros Occidental, Philippines  
For Friendship City Relation with Darwin City**

Dear Ms. Cai,

I wish to put forward again the interest of Bacolod City, Negros Occidental to be considered for the Friendship City Relationship with the City of Darwin.

Since 2012 to present, the City of Bacolod and the Province of Negros Occidental have established strong links with Darwin City and with the NT Government through the Office of the Department of Business, Tourism and Trade, currently known as DITT (Department of Industry, Tourism and Trade).

In July, through the invitation of Alderman Brian O’Gallagher, I attended the briefing of the Darwin City Council in August 2022 when the Philippine Ambassador, Her Excellency Ma Helene De La Vega made a courtesy visit to His Right Worshipful, Lord Mayor of Darwin Kon Vaskalis. In that briefing, I pointed out the strong links between the two cities which are the reasons for considering the two cities in a Friendship Relation.

Mayor Vatskalis instructed John Rivas AM, the Philippine Consul General ad honorem, to request the current Mayor of Bacolod City to initiate the invitation the Darwin City Mayor and his Aldermen to visit

Bacolod City. That was the start of the initiation or drive for the pursuit of Friendship City Relations between the Cities of Bacolod and Darwin.

The Mayor of Bacolod, Hon Alfredo Benitez invited the Mayor of Darwin and his Aldermen to come as Official Guests to the Major Festival of that City – Masskara Festival. That invitation was handed over by Alderman O’Gallagher to Darwin Lord Mayor. However, there was no reply as yet to that invitation.

The Philippine Consul General and Mr. Brian O’Gallagher discussed with the Mayor of Bacolod the reasons for establishing this Friendship City connections between Darwin and Bacolod.

The main points that support the interests in establishing the Friendship City Relation between Darwin City and Bacolod City include the following:

**a. Education and Training:**

The City of Bacolod and Negros Occidental have jointly supported the Study NT Program of Darwin by signing a memorandum of agreement with the two local vocational colleges, based in Darwin, ICAE (International College of Advanced Education) and AKC (Alana Kaye College) for funding international students from the Bacolod City and Province of Negros Occidental to take up studies in Hospitality, Commercial Cookery in 2019 leading to the completion of the studies of 7 students; and now in 2022, 10 international students to take up Child Care Studies at AKC and Commercial Cookery at ICAE. Both programs are to advance and further the training of citizens of Bacolod in this field. The student intake in 2019 are now on the process of obtaining their permanent residence visa to fill in the skills shortages in this city.

**b. Participation the Arafura Games.**

Bacolod City sent athletes that participated in the last Arafura Games and returned home with bags of medals in Swimming, Track and Fields and Boxing competitions.

**c. Darwin Regional Business Forum in 2018**

The Governor of Negros Occidental actively promoted business links between the two regions ie Northern Territory and Province of Negros Occidental by presenting Central Philippines in the Regional Business Forum organised by the NT Chamber of Commerce and the NT Government. Governor Alfredo Maranon was one of the Guest Speakers in that Regional Business Forum. On the final day and conclusion of that Business Forum, Governor Maranon was offered by the NT Business Chambers to host the new Regional Business Forum in Bacolod City to be hosted by the Provincial Government of Negros Occidental. The event was scheduled in Bacolod City on November of 2020. Unfortunately, all preparations for this major event in Asia including North Australia were interrupted by the Covid 19 Pandemic. Talks on reviving this event is on the drawing board.

**d. Participation of Governor Maranon at the BIMP-EAGA Conference in Darwin in 2018**

Governor Maranon of Negros Occidental and his party of 3 were guests presenter at the Conference of BIMP-EAGA (Brunei, Indonesia, Malaysia and Philippines East Asian Grown Area) in Darwin in 2018. Governor Maranon highlighted the importance of links between regions in Asia and Northern Territory. One of the links is the friendship through sports and cultural exchange.

**e. Cultural Dance Troupe at the Filipino Community Barrio Fiesta**

Negros Occidental Dance Troupe from Bacolod, Kaanyag Dance Company performed at the Filipino Australian Association of the NT,

Inc. Barrio Fiesta in 2010, 2011. The Busilak Dance Dance Troup from Southland College Negros Occidental perform also at the FAANT Barrio Fiesta in 2017 and 2018. Dance Choreographer from Bacolod City came through the invitation of the Filipino community in Darwin to train the local Filipinos in traditional dances for the celebration for the Philippine Independence in June of 2014 and 2015 and Barrio Fiesta in the same year.

**f. Primary School Teachers from Bacolod City participated in learning the Walker Approach at Anula Primary School**

Through the 5-year Framework of Collaboration signed by the Negros Occidental Provincial Governor and the CEO of NT Department of Education, 6 Teachers came to Darwin on a week-long special mission to learn the Walker Approach to Teaching English at Anula Primary School and Sanderson Middle School as tools for enhancing the teaching of program on various schools in Bacolod city and neighbouring areas. That Teacher Training Program was designed for knowledge and skills transfer from Darwin to Bacolod City and the Province of Negros Occidental as an integral part of the 5 Year Framework of Collaboration mentioned above.

**g. Reciprocal visit of NT Educators to Bacolod city and other centres of the Province of Negros Occidental.**

A delegation from the NT Department of Education, organised by Ms Debbie Liddiard, came to visit NOLITC (Negros Occidental Language and Information Centre) in Bacolod, High Schools in Sagay City, Southland College in Kabankalan in 2018.

That visit was a part of the education and training program for establishing the International School Participation between the schools of the City of Darwin and City of Bacolod.

**h. Teaching of Filipino Language at Casuarina Senior College**

Ms. Dawnie Tagala, Language Teacher at CSC, was one of the

delegates to Bacolod City and Negros Occidental, as mentioned in item g. above. Ms. Darwin Tagala received few teaching resources for her students in Filipino Language at CSC that were donated by the City of Bacolod and Provincial Governor.

**i. Visit of CEO of ICAE and CEO of AKC to Bacolod City and Audience with the Mayor of Bacolod in 2021 and 2022.**

Mr. Sean Mahoney, CEO of ICAE and Ms Alana Kaye College, together with Mr. Brian O’Gallagher and myself visited the City Mayor of Bacolod and the Provincial Governor of Negros Occidental, Hon Eugenio Jose Lacson for the resumption of the regional links between NT and Negros Occidental and furthermore the links between the two cities mentioned.

**j. Strong Expression of Interest from Bacolod City Mayor**

Hon Alfredo Benitez, Mayor of the City of Bacolod, Negros Occidental strongly expresses his interest in establishing the Friendship City connection between his city and Darwin City.

Mayor Benitez has seen the many reasons, as stated in this letter, that strongly support the quest for making the Friendship City Links between Darwin City and Bacolod City.

He has written the invitation to His Right Worshipful Lord Mayor of Darwin, Kon Vatskalis to come to Bacolod City.

Mayor Benitez has requested the Governor of Negros Occidental, Hon Eugenio Jose Lacson to present again this EOI of Mayor Benitez to Mayor Vaskalis at courtesy visit of Governor Lacson to Mayor Vatskalis on Tuesday at 930 am on 8 November 2022.

**k. Increasing number of citizens from Bacolod City joining the workforce in Darwin.**

With the skills shortage and the study-earn program, there is an

increasing number of Bacolod City and Negros Occidental actively participating in providing man power for the skills shortage in Darwin and the intake of International students for vocational education programs of the two colleges mentioned.

**l. International students from Negros Occidental and Bacolod City for the nursing training at CDU.**

5 International students from Bacolod City and Negros Occidental came to study at CDU to further their studies and training in nursing. All of whom have settled in Darwin working in hospitals where nurses are in short supply. This was the pre-covid pandemic time. They then became the first front liners during the pandemic time in Darwin.

**m. Immediate Response from the international students of Bacolod to the Covid 19 Pandemic crisis.**

Mr. Michael Sullesta, Study NT International Students who was appointed as Student Ambassadors in 2020 and 2021, was the first responder who organised the group to campaign for international student assistance during the time when jobs for international students were lost due to the pandemic times. Mr. Sullesta and the 6 other international students from Bacolod, through the leadership of Ms. Emcille Wills, also from Negros Occidental, ran 8 weeks of food donations to the international students from Negros Occidental and other countries to attend to the food shortages of international students at those adverse times.

**n. Visit of Governor of Negros Occidental to Darwin, 8 to 10 November 2022**

Through a formal invitation of Hon Nicole Mannison, MLA, Deputy Chief Minister, to Governor Eugenio Jose Lacson, a delegation composed of the Governor as Head of the Delegation and 6 other key Officers in Business, Employment, Education and Training, Tourism and Culture, arrived in Darwin on 6 November 2022 to resume the engagements between NT and Negros Occidental and the visit of the

Negros Occidental Delegations to Darwin Lord Mayor for the pursuit of the Friendship City Relationship. Bacolod City Mayor expresses his interest to visit Darwin City and will discuss the mutual benefits that will be gained from the Friendship City Relationship.

There are the main points for the Darwin City Council International Business Relations to highly consider Bacolod City and Darwin City on a Friendship City Relationship.

The Office of the Philippine Consulate General in Darwin and the entire Filipino Community in Darwin, Palmerston and neighbouring centres in the NT strongly support this endeavour.



Januario John R. Rivas AM  
Consul General, ad honorem

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Email: [Philcon.nt@gmail.com](mailto:Philcon.nt@gmail.com)

**15 RECEIVE & NOTE REPORTS****15.1 MONTHLY FINANCIAL REPORT - MARCH 2023**

**Author:** Senior Accountant  
Executive Manager Finance  
Executive Manager Corporate and Customer Services

**Authoriser:** General Manager Corporate

**Attachments:** 1. Monthly Financial Report - March 2023 [↓](#)

**RECOMMENDATIONS**

THAT the report entitled Monthly Financial Report – March 2023 be received and noted.

**PURPOSE**

The purpose of this report is to provide a summary of the financial position of Council for the period ended 31 March 2023.

Further, this report and the contents are required to be presented to Council in compliance with the *Local Government (General) Regulations 2021*.

**KEY ISSUES**

The Monthly Financial Report includes:

- Income Statement, which compares actual YTD income and expenditure against YTD budget.
- Fund Flow Statement (Monthly Operating Position), which outlines the effect on General Funds.
- Statement of Financial Position (Balance Sheet), which outlines what Council owns (assets) and what it owes (liabilities) at a point in time.
- Notes to the Balance Sheet, this includes further details on the Cash Balance, Trade Debtors, Trade Creditors, and a statement on Council's current payment and reporting obligations.
- Investments, which provides details of treasury activities, investments as at 31 March 2023.
- Rates and Receivables Report which provides a summary of outstanding rates and debtors.
- Procurement Reporting, which is a summary of contract variations and exempt procurement.
- Capital Expenditure and Funding, which compares YTD capital expenditure and funding against YTD budget.
- Planned Major Projects Capital Works, provides a high-level financial overview of our major projects at a point in time.

**DISCUSSION****March 2023 – Year to Date Result**

The year-to-date operating result until 31 March 2023 is a **deficit of (\$10.47M)** compared to a **Budgeted deficit of (\$15.51M)** as highlighted in the table below.

After including capital income, the **Net Deficit is (\$7.12M)** against the budgeted **deficit of (\$13.19M)**. This has resulted in a favourable **\$6.06M** variance overall (as shown in the income statement).

	<b>Actual \$'000</b>	<b>Budget \$'000</b>	<b>Variance \$'000</b>
<b>Net Operating Surplus/ (Deficit)</b>	<b>(10,471)</b>	<b>(15,510)</b>	<b>5,039 Favourable</b>

**Commentary**

The Net Operating Position has a favourable variance to the budget of \$5.04M. The variance results from lower than budgeted materials and contracts, employee costs, and depreciation, offset by lower than anticipated fees and charges received for the period ending 31 March 2023. Please find below additional commentary for the material variances:

**Income**

Total Operating Income is tracking above budget by \$1.98M.

**User Fees & Charges**

The unfavourable variance is \$0.58M. This is mainly due to Waste Fees & Charges being under YTD expectations.

**Operating Grants and Subsidies**

The favourable variance of grants received is mainly related to the timing of the actual receipt of grants compared to budget forecasts with the exception of the FAA grant which is tracking higher than estimated budget for the full year.

**Interest / Investment Income**

The favourable variance mainly relates to the increase in returns received on investments due to the increased RBA cash rate. An adjustment will be made at the next budget review.

**Expenditure**

Total Expenses are under budget by \$3.06M. This is due to underspends in Employee Expenses of \$0.71M, Materials & Contracts \$1.49M and Depreciation being under budget by \$0.62M.

**Employee Expenses**

Employee costs report a positive variance to budget of \$0.71M this relates to timing of employee leave and employee vacancies. It is expected that as vacancies are filled and year end entitlements are adjusted for in June 2023, that this variance will reduce.

**Materials & Contracts**

Materials and Contracts expenses has an annual budget of \$57.48M and this incorporates various expenditure types. Combined, this budget line is under budget with a variance of \$1.49M.

The programs that are underspent, include; City Parking, City Planning, City Maintenance and Climate Change and Environment. At the end of March 2023, the variances appear to be mainly timing variances and most of these areas are expected to return to budget by year-end.

Programs that are tracking as overspent YTD include Parks & Reserves due to utilities, Information Communication & Technology, and Finance due to legal costs. These variances are largely due to timing between budgeted profiles and actual expenses. Identified permanent variances will be revised in Budget Reviews.

#### Depreciation and Amortisation

Depreciation is a non-cash expense and is under budget by \$0.62M. The variance relates to timing of asset capitalisations and changes to useful lives on assets that were revalued in 2021-22 as part of the end of financial year process.

#### Other Expenses

This relates to the repayment of unspent grant funds of \$1.26M for Urban Oval Lighting.

#### **Statement of Fund Flows**

The variances are related to a mismatch in the timing of projects and budget profiles, and the reasons described above under operating statement commentary.

#### **Cash and Investments Note A**

City of Darwin has achieved 3.93% on weighted average interest rate on its March cash and investment portfolio of \$102.36M (excluding loan offset \$34.3M). There have been no investment policy breaches in this month.

The Investment Reports include surplus cash funds that are placed against variable loans. These funds are considered 'at call' as they can be accessed in short time frames.

#### **Treasury Comment**

The RBA met on the 4<sup>th</sup> of March and there was no increase of the cash rate target and it remains at 3.60%. Australia's inflation remains high. The size and timing of future interest rate increases will continue to be determined by the national/global economic data and the RBA's assessment of the outlook for inflation and the labour market. Any increases by the RBA will increase City of Darwin's interest (borrowing) expenses and increase interest income.

#### **Accounts Receivable (Trade Debtors) Note B**

This section considers the receipt timing of Rates collection and any general Debtors outstanding. The report also includes information on aged debtors including general debtors, infringements, and Rates arrears.

#### **Accounts Payable (Trade Creditors) Note C**

Accounts Payable owing at 28 March 2023 was \$3.84M at the time of reporting. City of Darwin recognises the liability of invoices once goods are receipted.

#### **Other notes to the financial reports**

The Council has met its payment and reporting obligations for GST, Fringe Benefits Tax, PAYG withholding tax, superannuation, and insurance for the month of March 2023.

Our internal accounting conventions for monthly reporting currently recognise the Council Rates that are attributable to that month and then progressively throughout the year.

Please note that these reports are unaudited management financial reports. Information contained in the reports were current as at the date of the reports and may not reflect any event or circumstances which occurred after the date the reports were completed.

**Procurement Reporting**

Under the Local Government (General) Regulations, Council is required to disclose at the next Council meeting and on the City of Darwin website:

- contract variations:
  - where a tender was not required, however the total cost exceeds \$100,000, or
  - where a contract requiring a tender is varied by 10%.
- exempt procurement greater than \$100,000

**Contract Variations**

There were no reportable contract variations for March 2023.

**Exempt Procurement**

Vendor	Supply	Cost	Applicable Exemption
Veolia Environmental Services	Supply of fuel for Benevap machine	\$164,497.56	Reg 38(1)(h) Only one supplier
Veolia Environmental Services	Supply of fuel for Benevap machine	\$104,153.56	Reg 38(1)(h) Only one supplier
Top End RACE	Footing Construction and Installation of Smart Poles	\$133,056	Reg 38(1)(h) Only one supplier

**Certification by the CEO to the Council**

That, to the best of the CEO's knowledge, information and belief:

- (1) The internal controls implemented by the council are appropriate; and
- (2) The council's financial report best reflects the financial affairs of the council.



CEO Signed

19 April 2023

**PREVIOUS COUNCIL RESOLUTION**

N/A

**STRATEGIC PLAN ALIGNMENT**

6 Governance Framework  
6.3 Decision Making and Management

**BUDGET / FINANCIAL / RESOURCE IMPLICATIONS**

N/A

<p><b>LEGISLATION / POLICY CONTROLS OR IMPACTS</b></p>	<p>Part 2 Division 7 the <i>Local Government (General) Regulations 2021</i> require that a monthly financial report is presented to Council each month setting out:</p> <p>(a) the actual income and expenditure of the council for the period from the commencement of the financial year up to the end of the previous month; and</p> <p>(b) the most recently adopted annual budget; and</p> <p>(c) details of any material variances between the most recent actual income and expenditure of the council and the most recently adopted annual budget.</p> <p>Regulation 17(5) Part 2 Division 7 the Local Government (General) Regulations 2021 require that the monthly report must be accompanied by:</p> <p>(a) a certification, in writing, by the CEO to the council that, to the best of the CEO's knowledge, information and belief:</p> <p>(i) the internal controls implemented by the council are appropriate; and</p> <p>(ii) the council's financial report best reflects the financial affairs of the council; or</p> <p>(b) if the CEO cannot provide the certification – written reasons for not providing the certification.</p> <p>The report is compliant with the requirements of the <i>Local Government Act 2019</i> and <i>Local Government (General) Regulations 2021</i>.</p>
<p><b>CONSULTATION, ENGAGEMENT &amp; COMMUNICATION</b></p>	<p>N/A</p>
<p><b>DECLARATION OF INTEREST</b></p>	<p>The report authors do 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>

Income Statement For the Period Ended 31 March 2023	2022/23					
	2023 YTD Actual		2023 YTD 2nd Revised Budget		Variance	FY 2nd Revised Budget
	\$'000		\$'000		\$'000	FY Original Budget
<b>Operating Income</b>						
Rates	60,200	70%	60,161	72%	39	80,215
Charges	1,852	2%	1,774	2%	78	2,282
Fees and Charges	16,302	19%	16,884	20%	(582)	23,021
Operating Grants and Subsidies	2,847	3%	2,492	3%	355	2,813
Interest / Investment Income	2,771	3%	1,225	1%	1,546	1,633
Other Income	1,998	2%	1,451	2%	547	1,782
<b>Total Income</b>	<b>85,970</b>		<b>83,986</b>		<b>1,984</b>	<b>111,745</b>
<b>Operating Expenses</b>						
Employee Expenses	28,361	29%	29,071	29%	710	38,844
Materials and Contracts	41,941	43%	43,433	44%	1,492	57,481
Elected Member Allowances	468	0%	549	1%	81	733
Elected Member Expenses	0	0%	48	0%	48	64
Council Committee & LA Allowances	4	0%	30	0%	26	40
Council Committee & LA Expenses	0	0%	0	0%	(0)	0
Depreciation, Amortisation & Impairment	23,463	24%	24,078	24%	615	32,571
Interest Expenses	942	1%	1,026	1%	84	2,022
Other Expenses	1,260	1%	1,260	1%	0	1,260
<b>Total Expenses</b>	<b>96,440</b>		<b>99,496</b>		<b>3,055</b>	<b>133,015</b>
<b>Budgeted Operating Surplus/ (Deficit)</b>	<b>(10,471)</b>		<b>(15,510)</b>		<b>5,039</b>	<b>(21,270)</b>
Capital Grants Income	3,347		2,325		1,022	11,826
<b>Net Surplus/(Deficit)</b>	<b>(7,124)</b>		<b>(13,185)</b>		<b>6,061</b>	<b>(8,084)</b>

Statement of Fund Flows  Monthly Operating Position For the Period Ended 31 March 2023	2022/23				
	Mar 2023 YTD Actual \$'000	YTD 2nd Revised Budget \$'000	YTD Variance \$'000	FY 2nd Revised Budget \$'000	FY Original Budget \$'000
<b><u>Funds From Operating Activities</u></b>					
Net Operating Result from Income Statement	(10,471)	(15,510)	5,039	(21,270)	(17,444)
Add back depreciation (not cash)	23,463	24,078	(615)	32,571	33,971
Add back Other Non Cash Items	0	0	0	708	708
<b>Net Funds Provided (or used in) Operating Activities</b>	<b>12,992</b>	<b>8,568</b>	<b>4,424</b>	<b>12,009</b>	<b>17,235</b>
<b><u>Less Additional Outflows</u></b>					
Repayment of borrowings & advances	(2,101)	(2,101)	0	(4,203)	(5,248)
Purchase of Infrastructure, Property, Plant & Equipment	(27,897)	(41,812)	13,915	(56,378)	(60,499)
<b>Total Additional Outflows</b>	<b>(29,999)</b>	<b>(43,912)</b>	<b>13,915</b>	<b>(60,581)</b>	<b>(65,747)</b>
<b><u>Add Additional Inflows</u></b>					
Add Capital Grants	3,347	2,325	1,022	11,826	9,360
Sale of Infrastructure, Property, Plant & Equipment	365	552	(187)	736	736
Proceeds from borrowings & advances	31,000	23,500	7,500	24,000	35,500
Transfers from Reserves	8,133	8,968	(835)	12,011	2,916
<b>Total Additional Inflows</b>	<b>42,845</b>	<b>35,344</b>	<b>7,500</b>	<b>48,574</b>	<b>48,512</b>
<b>Net Increase (-Decrease) in Funds</b>	<b>25,839</b>	<b>0</b>	<b>25,839</b>	<b>0</b>	<b>0</b>

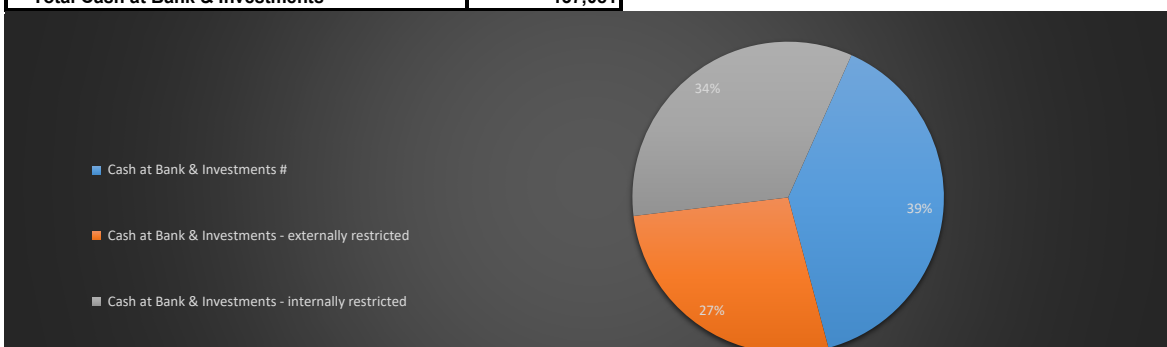
Statement of Financial Position as at 31 March 2023	2022/23				2021/22
	Mar 2023	Note	FY	FY	FY
	Actual \$'000		2nd Revised Budget \$'000	Original Budget \$'000	Audited \$'000
<b>Current Assets</b>					
Cash at Bank & Investments	53,683	A	12,073	28,312	19,965
Cash at Bank & Investments - externally restricted	37,381	A	35,657	38,266	43,752
Cash at Bank & Investments - internally restricted	46,016	A	43,862	30,122	47,778
Trade & Other Receivables	3,833	B	11,646	11,646	12,089
Rates & Charges Receivables	11,126	B	0	0	0
Inventories	267		400	400	304
<b>Total Current Assets</b>	<b>152,306</b>		<b>103,639</b>	<b>108,746</b>	<b>123,888</b>
<b>Non-Current Assets</b>					
Infrastructure, Property, Plant and Equipment	1,253,446		1,221,821	1,224,542	1,249,378
Lease Right of Use Assets	3,682		0	0	3,682
<b>Total Non Current Assets</b>	<b>1,257,128</b>		<b>1,221,821</b>	<b>1,224,542</b>	<b>1,253,060</b>
<b>Total Assets</b>	<b>1,409,435</b>		<b>1,325,460</b>	<b>1,333,288</b>	<b>1,376,948</b>
<b>Current Liabilities</b>					
Trade Payables & Other Payables	3,835	C	22,069	22,069	20,254
Accruals	4,600		0	0	0
ATO & Payroll Liabilities	618	D	0	0	0
Other Current Liabilities / Payables	1,775		0	0	0
Rates Revenue struck (in advance)	20,085		0	0	0
Borrowings	669		6,438	5,392	2,770
Provisions	7,811		6,086	6,086	12,182
Lease Liabilities	837		862	862	837
<b>Total Current Liabilities</b>	<b>40,231</b>		<b>35,455</b>	<b>34,409</b>	<b>36,043</b>
<b>Non-Current Liabilities</b>					
Trade & Other Payables	14		0	0	14
Borrowings	63,277		48,384	59,884	32,244
Provisions	55,436		28,195	28,195	51,048
Lease Liabilities	3,004		2,458	2,458	3,004
<b>Total Non Current Liabilities</b>	<b>121,732</b>		<b>79,037</b>	<b>90,537</b>	<b>86,310</b>
<b>Total Liabilities</b>	<b>161,962</b>		<b>114,492</b>	<b>124,946</b>	<b>122,353</b>
<b>NET ASSETS</b>	<b>1,247,470</b>		<b>1,210,968</b>	<b>1,208,342</b>	<b>1,254,595</b>
<b>Equity</b>					
Accumulated Surplus	301,944		307,519	316,025	300,937
Asset Revaluation Reserve	862,128		823,929	823,929	862,128
Other Reserves	83,397		79,520	68,388	91,530
<b>TOTAL EQUITY</b>	<b>1,247,470</b>		<b>1,210,968</b>	<b>1,208,342</b>	<b>1,254,595</b>

### Monthly Balance Sheet Report (Notes to the Balance Sheet) as at 31 March 2023

#### Note A. Details of Cash and Investments Held

Investments Report attached, which provides details of treasury activities, investments as at the end of the Month. City of Darwin has achieved 2.79% on weighted average interest rate on its March 2023 cash and investment portfolio of \$137M (including \$34.3M Variable Loans Surplus/Offset). There have been no investment policy breaches in this month. The Investment Reports include surplus cash funds that are placed against variable loans. These funds are considered 'at call' as they can be accessed in short time frames.

Cash at Bank & Investments	\$'000
Cash at Bank & Investments #	53,683
Cash at Bank & Investments - externally restricted	37,381
Cash at Bank & Investments - internally restricted	46,016
<b>Total Cash at Bank &amp; Investments</b>	<b>137,081</b>



# Cash at Bank & Investments includes Cash on Call of \$34.3M

Note B. Statement of Trade Debtors*	Past Due 1 – 30 Days	Past Due 31 – 60 Days	Past Due 61-90 Days	Past Due 90+ Days	Total *
Rates & Charges Debtors	\$8,417,363	\$0	\$0	\$2,708,762	\$11,126,125
Other Trade Receivables and Other Receivables	\$1,425,081	\$1,806,188	\$436,857	\$164,942	\$3,833,068
<b>Total Trade and Other Receivables</b>	<b>\$9,842,444</b>	<b>\$1,806,188</b>	<b>\$436,857</b>	<b>\$2,873,704</b>	<b>\$14,959,193</b>

Note C. Statement on Trade Creditors*	Past Due 1 – 30 Days	Past Due 31 – 60 Days	Past Due 61-90 Days	Past Due 90+ Days	Total
General Trade Creditors	\$3,009,851	\$817,100	\$590	\$7,769	\$3,835,309
Other Trade Payables & Other Payables	\$617,603	\$0	\$0	\$0	\$617,603
<b>Total Trade and Other Payables</b>	<b>\$3,627,454</b>	<b>\$817,100</b>	<b>\$590</b>	<b>\$7,769</b>	<b>\$4,452,913</b>

#### Note D. Statement on Australian Tax Office (ATO) and Payroll Obligations

The Council has met its payment and reporting obligations for GST, Fringe Benefits Tax, PAYG withholding tax, superannuation, and insurance for the month of March 2023.

\* Please note that these reports are unaudited management financial reports. Information contained in the reports were current as at the date of the reports and may not reflect any event or circumstances which occurred after the date the reports were completed.

**INVESTMENTS REPORT TO COUNCIL  
AS AT  
31 March 2023**

**Investment and Cash at Call/Offset Distribution by Term to Maturity**

**Term to Maturity Policy Limits**

There have been no breaches in Term to Maturity Policy limits for the month of March 2023

Term to Maturity Category	% of Total Portfolio	Term to Maturity (Policy Max.)	Term to Maturity (Policy Min.)
<b>Less than 1 Year</b>			
Term Deposits	54%		
Business Online Saver Accounts	2%		
Floating Rate Notes	1%		
General Surplus on Variable Loans	29%		
Bonds	0%		
<b>Less than 1 Year Total</b>	<b>86%</b>	<b>100%</b>	<b>30%</b>
<b>Greater than 1 Year less than 3 Years</b>			
Term Deposits	3%		
Business Online Saver Accounts	0%		
Floating Rate Notes	6%		
Bonds	3%		
<b>Greater than 1 Year less than 3 Years Total</b>	<b>12%</b>	<b>70%</b>	<b>0%</b>
<b>Greater than 3 Years</b>			
Term Deposits	0%		
Business Online Saver Accounts	0%		
Floating Rate Notes	2%		
Bonds	0%		
<b>Greater than 3 Years Total</b>	<b>2%</b>	<b>30%</b>	<b>0%</b>
<b>Greater than 5 Years</b>			
Term Deposits	0%		
Business Online Saver Accounts	0%		
Floating Rate Notes	0%		
<b>Greater than 5 Years Total</b>	<b>0%</b>	<b>10%</b>	<b>0%</b>
<b>Total</b>	<b>100%</b>		

**Investment Distribution by Portfolio Credit Rating**

**Portfolio Distribution Credit Rating Limits**

There have been no breaches in Portfolio Credit Rating Limits for the month of March 2023

Credit Rating - Maximum Individual Limit	ADI	Counterparty	% of Total Portfolio	Individual Counterparty Limits of Total Investments
<b>AA-</b>	Commonwealth Bank of Australia Ltd	Commonwealth Bank of Australia Ltd	27%	50%
	National Australia Bank Ltd	National Australia Bank Ltd	25%	50%
	Westpac Banking Corporation Ltd	Westpac Banking Corporation Ltd	30%	50%
	Northern Territory Treasury Corporation	Northern Territory Treasury Corporation	2%	50%
<b>A+</b>	Macquarie Bank	Macquarie Bank	1%	30%
	Suncorp Metway Limited	Suncorp Bank	3%	30%
<b>BBB+</b>	Bank of Queensland Ltd	Bank of Queensland Ltd	5%	10%
	Bendigo & Adelaide Bank Ltd	Bendigo & Adelaide Bank Ltd	0%	10%
	Members Banking Group Limited t/as RACQ Bank	Members Banking Group Limited t/as RACQ Bank	1%	10%
<b>BBB</b>	AMP Bank Ltd	AMP Bank Ltd	3%	10%
	Bank Australia Limited	Bank Australia Limited	2%	10%
<b>Grand Total</b>			<b>100%</b>	

Credit Rating - Maximum Portfolio Limit	% of Total	Policy Limit
AAA to AA-	85%	100%
A+ to A-	4%	45%
BBB+ to BBB	11%	30%
BBB-	0%	0%
<b>Total</b>	<b>100%</b>	

**INVESTMENT AND CASH AT CALL/OFFSET REPORT TO COUNCIL  
AS AT  
31 March 2023**

31 March 2025												
Instrument	Institution Category	Counterparty	Maturity Date	Interest Rate	Credit Rating (LT)	Credit Rating (ST)	Inv Type	FRN ONLY (Maturity Date - last pmt)	Principal \$	% Portfolio		
INVESTMENT	MAJOR BANK	ANZ Banking Group Ltd	30 June 2023	4.73%	AA-	A1+	FRN	31 March 2028	\$500,000	0.42%		
		ANZ Banking Group Ltd Total							\$500,000	0.42%		
		Commonwealth Bank of Australia Ltd	2 May 2023	2.14%	AA-	A1+	TD		\$1,500,000	1.26%		
			2 May 2023	2.50%	AA-	A1+	TD		\$1,500,000	1.26%		
			23 May 2023	2.79%	AA-	A1+	TD		\$1,000,000	0.84%		
			13 June 2023	4.09%	AA-	A1+	TD		\$3,000,000	2.51%		
			4 April 2023	3.86%	AA-	A1+	TD		\$1,500,000	1.26%		
			18 April 2023	3.94%	AA-	A1+	TD		\$2,000,000	1.68%		
			18 April 2023	3.92%	AA-	A1+	TD		\$1,500,000	1.26%		
			11 April 2023	3.88%	AA-	A1+	TD		\$1,009,994	0.85%		
			11 April 2023	4.47%	AA-	A1+	FRN	11 January 2024	\$1,000,000	0.84%		
			28 November 2023	4.46%	AA-	A1+	TD		\$1,012,949	0.85%		
			13 April 2023	4.21%	AA-	A1+	FRN	13 January 2026	\$2,000,000	1.68%		
			13 April 2023	3.70%	AA-	A1+	BOS		\$2,102,380	1.76%		
			18 May 2023	4.27%	AA-	A1+	FRN	18 August 2025	\$1,000,000	0.84%		
			18 August 2023	4.24%	AA-	A1+	BOND	18 August 2025	\$1,000,000	0.84%		
			27 February 2024	5.02%	AA-	A1+	TD		\$1,500,000	1.26%		
			Commonwealth Bank of Australia Ltd Total							\$22,625,322	18.95%	
			National Australia Bank Ltd	2 May 2023	2.02%	AA-	A1+	TD		\$1,518,333	1.27%	
				23 May 2023	4.13%	AA-	A1+	TD		\$1,512,282	1.27%	
				23 May 2023	4.08%	AA-	A1+	TD		\$1,550,610	1.51%	
				13 June 2023	4.11%	AA-	A1+	TD		\$2,000,000	1.68%	
				20 June 2023	4.19%	AA-	A1+	TD		\$1,511,994	1.27%	
				20 June 2023	4.12%	AA-	A1+	TD		\$1,550,245	1.48%	
				25 July 2023	3.93%	AA-	A1+	TD		\$1,545,616	1.29%	
				25 July 2023	4.26%	AA-	A1+	TD		\$1,529,182	1.28%	
				11 April 2023	3.88%	AA-	A1+	TD		\$1,509,243	1.26%	
				1 August 2023	4.18%	AA-	A1+	TD		\$4,000,000	3.16%	
				27 February 2024	4.96%	AA-	A1+	TD		\$1,014,520	0.85%	
			National Australia Bank Ltd Total							\$19,242,026	16.31%	
			Westpac Banking Corporation Ltd	5 December 2023	1.22%	AA-	A1+	TD		\$2,000,000	1.68%	
				3 December 2024	1.62%	AA-	A1+	TD		\$2,000,000	1.68%	
				23 January 2024	1.40%	AA-	A1+	TD		\$1,500,000	1.26%	
				25 July 2023	4.11%	AA-	A1+	TD		\$2,000,000	1.68%	
				26 September 2023	4.68%	AA-	A1+	TD		\$2,000,000	1.68%	
				14 November 2023	4.44%	AA-	A1+	TD		\$3,000,000	2.51%	
				24 April 2023	4.42%	AA-	A1+	FRN	24 April 2024	\$1,000,000	0.84%	
				23 April 2024	4.85%	AA-	A1+	TD		\$2,000,000	1.68%	
				27 February 2024	5.00%	AA-	A1+	TD		\$1,014,600	0.85%	
				27 February 2024	4.61%	AA-	A1+	TD		\$2,000,000	1.68%	
				26 March 2024	5.10%	AA-	A1+	TD		\$4,000,000	3.35%	
			Westpac Banking Corporation Ltd Total							\$22,514,600	18.86%	
			Northern Territory Treasury Corporation (NTTC)	15 December 2024	1.30%	AA-	A1+	BOND		\$2,000,000	1.68%	
			Northern Territory Treasury Corporation (NTTC) Total							\$2,000,000	1.68%	
			MAJOR BANK Total								\$66,881,948	56.22%
			OTHER	AMP Bank Ltd	3 October 2023	2.30%	BBB	A2	TD		\$1,000,000	0.84%
					25 July 2023	4.45%	BBB	A2	TD		\$1,000,000	0.84%
					4 April 2023	4.00%	BBB	A2	TD		\$2,000,000	1.68%
				AMP Bank Ltd Total							\$4,000,000	3.35%
				Bank of Queensland Ltd	11 April 2023	3.77%	BBB+	A2	TD		\$1,515,707	1.27%
					16 May 2023	4.15%	BBB+	A2	TD		\$3,000,000	2.51%
					12 March 2024	5.05%	BBB+	A2	TD		\$1,561,169	1.31%
				Bank of Queensland Ltd Total							\$6,076,876	5.09%
				Macquarie Bank	12 May 2023	4.34%	A+	A1	FRN	12 February 2025	\$1,000,000	0.84%
				Macquarie Bank Total							\$1,000,000	0.84%
				Suncorp Bank	20 June 2023	4.20%	A+	A1	TD		\$1,500,000	1.26%
					30 May 2023	4.15%	A+	A1	TD		\$1,006,847	0.84%
					17 April 2023	4.20%	A+	A1	FRN	17 October 2025	\$1,000,000	0.84%
				Suncorp Bank Total							\$3,506,847	2.94%
				Bank Australia Limited	24 May 2023	5.11%	BBB	A-2	FRN	24 November 2025	\$2,000,000	1.68%
				Bank Australia Limited Total							\$2,000,000	1.68%
				Members Banking Group Limited t/as RACQ Ba	24 May 2023	5.01%	BBB+	A2	FRN	24 February 2026	\$1,600,000	1.34%
				Members Banking Group Limited t/as RACQ Bank Total							\$1,600,000	1.34%
	OTHER Total									\$18,183,723	15.23%	
INVESTMENT Total									\$85,065,671	71.46%		
VARIABLE LOAN SURPLUS	MAJOR BANK	Commonwealth Bank of Australia Ltd	13 April 2023	0.00%	AA-	A1+	General Surplus - I		\$10,000,000	8.38%		
		Commonwealth Bank of Australia Ltd Total							\$10,000,000	8.38%		
		National Australia Bank Ltd	13 April 2023	0.00%	AA-	A1+	General Surplus - I		\$11,000,000	9.22%		
		National Australia Bank Ltd Total							\$11,000,000	9.22%		
		Westpac Banking Corporation Ltd	13 April 2023	0.00%	AA-	A1+	General Surplus - I		\$13,300,000	11.14%		
	MAJOR BANK Total								\$34,300,000	28.74%		
VARIABLE LOAN SURPLUS Total									\$34,300,000	28.74%		
Grand Total									\$119,365,671	100%		

N.B.

\*INV TYPE - FRN = interest rate is the 'Coupon Margin' established on issue date, this plus 3M BBSW provides the yield for the current coupon period.

\*MATURITY DATE - FRN = the interest coupon payment date not actual FRN maturity date (paid every 91 days).

CBA General Bank Funds	\$17,039,654
NAB General Bank Funds	\$220,162
WBC General Bank Funds	\$35,468
Total Funds	\$136,660,954
Less Variable Loans Offset (Cash on Call)	-\$34,300,000
Total Investment & Cash (less offset)	\$102,360,954
Total Budgeted Investment Earnings	\$992,937
Year to Date Investment Earnings	\$2,139,023
Weighted Ave Rate	2.80%
Weighted Ave Rate (excluding Cash on Call)	3.93%
BBSW 90 Day Rate	3.72%
Bloomberg AusBond (Bank Bill Index)	3.34%

Trust Bank Account	\$456,989
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Capital Expenditure For The Period Ended 31 March 2023	2022/23			
	YTD Actuals	YTD Revised Budget	YTD Variance	FY Revised Budget Current Financial Year Budget
	\$	\$	\$	\$
<b>TOTAL CAPITAL EXPENDITURE BY ASSET CLASS:</b>				
Capital Work In Progress				
Land - Under Roads	0	0	0	0
<b>Land and Buildings:</b>				
Land and Improvements	0	0	0	0
Buildings	4,754,354	8,381,627	3,627,273	16,944,382
<b>Infrastructure:</b>				
Stormwater Drainage	1,232,731	1,172,435	(60,296)	1,989,876
Transport	3,293,052	6,431,675	3,138,623	7,491,450
Pathways	1,446,824	1,294,447	(152,377)	1,704,675
Public Lighting	891,621	802,611	(89,010)	1,040,111
Waste Management Infrastructure	12,322,827	17,760,405	5,437,578	17,760,405
Waste Remediation	0	0	0	0
<b>Right Of Use Assets (Leases):</b>				
Leased Land and Buildings	0	0	0	0
Other Leased Assets	0	0	0	0
<b>Plant &amp; Equipment, including Fleet</b>	1,720,438	2,379,447	659,009	3,543,019
<b>Parks &amp; Reserves Infrastructure</b>	2,108,940	3,180,880	1,071,940	5,380,305
<b>Other Assets</b>	126,000	408,105	282,105	524,224
<b>TOTAL CAPITAL EXPENDITURE</b>	<b>27,896,787</b>	<b>41,811,632</b>	<b>13,914,845</b>	<b>56,378,447</b>
<b>TOTAL CAPITAL EXPENDITURE FUNDED BY*:</b>				
Operating Income	9,822,330	9,822,330	0	14,804,574
Capital Grants	4,708,511	4,708,511	0	13,414,410
Transfer from Reserves	8,475,047	8,475,047	0	9,353,719
Borrowings	18,805,744	18,805,744	0	18,805,744
<b>TOTAL CAPITAL EXPENDITURE FUNDING</b>	<b>41,811,632</b>	<b>41,811,632</b>	<b>0</b>	<b>56,378,447</b>

\*Funding of expenditure is assumed to be consumed in line with YTD Revised Budget

2023 YTD Capital programs with overspends total \$565k will be addressed in upcoming Budget Reviews.

Revised Budget is the Original Budget plus adopted Carryforwards and Budget Variations

**Report on Planned Major Capital Works  
For The Period Ended 31 March 2023**

Class of Assets	By Major Capital Project	Total Prior Year(s) Actuals \$ (A)	YTD Actuals \$ (B)	Total Actuals \$ (C = A + B)	Total Planned Budget \$ (D)	Total Yet to Spend \$ (E = D - C)	Expected Project Completion Date
Buildings	Casuarina Aquatic & Leisure Centre	360,585	4,050,337	4,410,923	25,473,111	21,062,188	30/06/2024
Waste Management Infrastructure	Shoal Bay - Stage 2 Expansion	0	21,000	21,000	12,000,000	11,979,000	30/06/2024
Waste Management Infrastructure	Leachate Irrigation System - Shoal Bay (CF)	13,150,746	2,490,651	15,641,397	16,198,626	557,229	30/06/2023
Waste Management Infrastructure	SBWMF - Stage 3 & 4 Final Cap Design & Construction (CF)	8,754,737	6,176,077	14,930,814	14,650,000	(280,814)	30/06/2023
Waste Management Infrastructure	Shoal Bay - Leachate Ponds	0	3,205,248	3,205,248	7,500,000	4,294,753	30/06/2023
Waste Management Infrastructure	Leachate Storage Tanks & Infrastructure	5,624,943	56,305	5,681,249	5,752,400	71,151	Completed
<b>TOTAL</b>		<b>27,891,011</b>	<b>15,999,618</b>	<b>43,890,630</b>	<b>81,574,137</b>	<b>37,683,507</b>	

**Table 4. Member and CEO Council Credit Card Transactions for the Month  
For the Month Ended 31 March 2023**

Cardholder Name: CEO

Transaction Date	Amount \$	Supplier's Name	Reason for the Transaction
<b>Total</b>	-		

Cardholder Name: Lord Mayor

Transaction Date	Amount \$	Supplier's Name	Reason for the Transaction
2-Mar-23	20.00	PAYSTAY	Car Parking Fee account top up
17-Mar-23	20.00	PAYSTAY	Car Parking Fee account top up
21-Mar-23	26.67	DARWIN RADIO 131008	Cabcharge - Darwin Radio Taxi
<b>Total</b>	<b>66.67</b>		

**15.2 ELECTED MEMBER ALLOWANCES 2023/24**

**Author:** Manager Office of Council and CEO

**Authoriser:** Chief Executive Officer

**Attachments:** 1. Incoming Correspondence - Department of the Chief Minister and Cabinet - Remuneration Tribunal Determination [↓](#)

**RECOMMENDATIONS**

THAT the report entitled Elected Member Allowances 2023/24 be received and noted.

**PURPOSE**

The purpose of this report is to present the Elected Members Allowances for 2023/24.

**KEY ISSUES**

- Elected Member Allowances are set in accordance with the *Local Government Act 2019*.
- The Remuneration Tribunal Report and Determination No. 1 of 2023 – Allowances for Members of Local Government Councils was made on 24 January 2023 and tabled in the Northern Territory Legislative Assembly on 14 February 2023.
- The Determination is considered made on the date it was signed by the Tribunal, which was 24 January 2023.
- Policy and guidance documents will be updated accordingly and prior to July 2023.
- The Tribunal's Determination is final and requires no further approval.

**DISCUSSION**

As a result of amendments to legislation, the Administrator of the Northern Territory issued a request to the Remuneration Tribunal to inquire into and determine the allowances payable to a member of a local Council.

The Remuneration Tribunal advised City of Darwin and presented to the Elected Members at the Ordinary Council Meeting on 20 September 2022.

The Determination is considered made on the date it was signed by the Tribunal, which was 24 January 2023. This means that the Determination comes into effect on 1 July 2023. Frequently asked questions were created by the Department of the Chief Minister and Cabinet and are at **Attachment 1**.

The table below outlines the 2023/24 maximum allowances that can apply to City of Darwin Elected Members.

**LORD MAYOR**

Type of Allowance	Allowance payable from July 2023
Base Allowance	\$127,200.00
Councillor Allowance	\$31,000.00
Professional Development Allowance	\$4,000.00
Extra Meeting Allowance	Nil
Vehicle Allowance	\$25,000.00

**DEPUTY LORD MAYOR**

Type of Allowance	Allowance payable from July 2023
Base Allowance	\$23,800.00
Councillor Allowance	\$31,000.00
Professional Development Allowance	\$4,000.00
Extra Meeting Allowance	up to 2 hours   \$200.00 between 2 to 4 hours   \$300.00 more than 4 hours   \$500.00 per meeting capped at \$10,000.00

**COUNCILLOR**

Type of Allowance	Allowance payable from July 2023
Councillor Allowance	\$31,000.00
Professional Development Allowance	\$4,000.00
Extra Meeting Allowance	up to 2 hours   \$200.00 between 2 to 4 hours   \$300.00 more than 4 hours   \$500.00 per meeting capped at \$10,000.00
Vehicle Allowance	\$5,000.00 involves travel 50km from home base

**Councillor Allowance**

The Councillor Allowance covers those activities required of a Council Member in the performance of his or her role as an elected representative. The Councillor Allowance is to cover:

- Any cost to Councillors for attending meetings and activities of Council where these costs are not reimbursed by Council;
- Contribution towards phone and internet usage;
- Contribution towards any home and office supplies;
- Allowance towards costs incurred in servicing constituents;
  - o Including, but not limited to:
    - Donations
    - Organisation sponsorship
    - Membership fees
    - Patron expenses
    - Constituent support

**Professional Development Allowance**

An allowance payable to Council Members to attend appropriate and relevant conferences or training courses which sustain a member's professional competence by keeping the member informed of, and able to comply with, development in professional standards applicable to their role as a Council Member. Any such course/conference must have approval and be in line with Council policy to attract this allowance.

The Professional Development Allowance is increased to \$4,000.00 in a financial year and will now be more flexible. The total of two years' worth of allocations can be used in one financial year, as long as the Councillor would still be within their elected term.

**Extra Meeting Allowance**

Elected Members may claim an extra meeting allowance for various meetings including:

- Special Council Meetings and Workshops
- City of Darwin Executive and Advisory Committees
- Outside Committees with Local Government Association of the Northern Territory appointed representation.

- Outside Committees with City of Darwin appointed representation
- Councillor Briefings
- Workshops hosted by City of Darwin
- Attendance at professional development courses/conferences that are approved and in accordance with the Ministerial Guidelines (in addition to the Professional Development Allowance)

This allowance cannot be claimed for attendance at events such as representing Council at a community event, as this is included in the base allowance.

Members must have attended at least 75% of the duration of a meeting to claim an extra meeting allowance and up to a maximum of two extra meetings per day may be claimed.

The Extra Meeting Allowance must not be paid for Ordinary Council Meetings as they are covered in the base allowance.

The Extra Meeting Allowance is not paid for a Principal Member and Acting Principal Member as the guidelines state that it is provided for and included in the base allowance of those positions.

The Extra Meeting Allowance is paid per meeting but is capped for each financial year. For 2023/24, the Extra Meeting Allowance is capped at \$10,000.00 and the amount payable is determined by the length of the meeting.

A daily allowance of \$433.42 will be applied should a Councillor be appointed to the role of Acting Lord Mayor in accordance with relevant legislation and policies.

## PREVIOUS COUNCIL RESOLUTION

At the 12 April 2022 meeting Council resolved:

### RESOLUTION ORD174/22

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Mick Palmer

1. THAT the report Elected Member Allowances 2022/23 be received and noted.
2. THAT pursuant to s7.1 of the *Local Government Act 2019*, Council adopt the following Elected Member Allowances for the 2022/23 financial year:

CATEGORY	Base Allowance	Electoral Allowance	Professional Development Allowance	Maximum Extra Meeting Allowance	Total Claimable
Lord Mayor	\$125,192.75	\$32,950.94	\$3,753.17	Nil	<b>\$161,896.86</b>
Deputy Lord Mayor	\$46,292.69	\$8,238.34	\$3,753.17	Nil	<b>\$58,284.20</b>
Councillors	\$22,515.39	\$8,238.34	\$3,753.17	\$15,010.25	<b>\$49,517.15</b>

3. THAT the daily rate when eligible for Acting Lord Mayor higher duties be set at \$433.16 for 2022/23 financial year.
4. THAT the Extra Meeting Allowance for 2022/23 be set at \$250.00, noting a maximum claimable amount for eligible Elected Members of \$15,010.25 in the 2022/23 financial year.
5. THAT the Elected Member Allowances for 2022/23 be included in the draft 2022/23 Municipal Plan and Annual Budget.

**CARRIED 13/0**

<b>STRATEGIC PLAN ALIGNMENT</b>	6 Governance Framework 6.4 Accountability
<b>BUDGET / FINANCIAL / RESOURCE IMPLICATIONS</b>	<p><b>Budget/Funding:</b> The annual budget is identified as part of the budget process.</p> <p><b>Is Funding identified:</b> Yes</p> <p><b>Existing Position No:</b> N/A</p> <p><b>Contractor:</b> N/A</p>
<b>LEGISLATION / POLICY CONTROLS OR IMPACTS</b>	<p><b>Legislation:</b> <i>Local Government Act 2019</i></p> <p><b>Policy:</b> Elected Members Expenses, Facilities and Support Policy</p>
<b>CONSULTATION, ENGAGEMENT &amp; COMMUNICATION</b>	<p><b>Engagement Level:</b> Consult</p> <p><b>Tactics:</b> An engagement plan will be developed for the mandatory public consultation phase regarding the Municipal Plan. Elected Members allowances form part of the City of Darwin Municipal Plan each year.</p> <p><b>Internal:</b> Chief Executive Officer Councillor and Committees Support Officer Executive Manager Finance</p> <p><b>External:</b> N/A</p>
<b>DECLARATION OF INTEREST</b>	<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>

## Council member allowances – from 1 July 2023

### Frequently asked questions

The Remuneration Tribunal (the Tribunal) Report and Determination No. 1 of 2023 - Allowances for Members of Local Government Councils was made on 24 January 2023 (and tabled in the Northern Territory Legislative Assembly on 14 February 2023). Below are answers to some commonly asked questions regarding the Determination.

This document was created by the Department of the Chief Minister and Cabinet following discussions with the Local Government Association of the Northern Territory and other stakeholders. It does not form part of the Determination but aims to assist council members and staff in understanding the Determination.

## 2 – Allowances

### ***Will the council need to make a decision to adopt the allowances?***

The Determination sets the value of Councillors Allowance, Deputy Principal Members Additional Allowance and Principal Members Additional Allowance. The exception is Belyuen and Wagait Councils, which are given an allowance of an amount approved by Council 'up to' a certain value. These are the only councils that need to make a separate decision adopting the allowances.

### ***The Determination shows an annual allowance, does that mean the full allowance is paid once per year?***

No, the Determination sets the capped annual allowances for each council, an 'up to' amount that is claimable under each allowance. Allowances are paid in accordance with Council policy, usually occurring fortnightly or monthly.

### ***There seems to be a significant drop in both the Deputy Principal Member and Principal Member allowances, is that right?***

No, the allowances determined for Deputy Principal Members Additional Allowance and Principal Members Additional Allowance are in addition to the Councillors' Allowance. Appendix A to the Report compares the current allowances with the new allowances and provides the total allowance for the Mayor (principal member) and Deputy Mayor (deputy principal member).

## 3 – Inclusions of all allowances

### ***If, before 1 July 2023, a council provided an allowance to members that was not required under the Local Government Act 2019, for example an allowance for internet and phones, does it now need to come out of the allowances covered by the Determination? Can the council make a decision to pay allowances not mentioned in the Determination?***

As the Determination now sets out what the allowances are to cover, for example it now specifies "contribution towards phone and internet usage", a council cannot pay another allowance towards such usage. However, there may be circumstances where, subject to council policy, it is appropriate for a council to supply a member with a phone, computer or related equipment, or reimburse a member's cost of purchasing such equipment.

## Frequently asked questions

## 4 - Extra Meeting/Activity Allowance

***The Determination shows allowances for 'normal business hours', what does this mean and how is the fee set for Council activities/meetings held outside normal business hours?***

The expression "normal business hours" is mentioned at paragraph 4.2, although the Determination does not specify an allowance for meetings after hours or an option for Council to self-determine their allowances. As such, extra meetings or activities (both during and outside of business hours) should be paid at the rates listed for meetings during business hours, based on the time that meeting/activity takes.

***Are the Extra Meeting/Activity Allowance limits of \$10,000 per year (paragraph 4.1) and \$1,000 per year (paragraph 4.2) per council or member?***

These are capped amounts set out for each council. The \$10,000 capped Extra Meeting Allowance is only available to municipal and regional councils members (except principal member) and the \$1,000 capped Extra Meeting Allowance is only for councillors of community councils (excludes principal member and deputy principal member).

***Are deputy principal members entitled to the Extra Meeting/Activity Allowance?***

Yes, deputy principal members are eligible to access the Extra Meeting/Activity Allowance as per paragraph 4.1 of the Determination. In paragraph 5 of the Report, the Tribunal is concerned with the Extra Meeting Allowance being restricted and have now restructured it to be more accessible.

***If a council member has to cancel their attendance at a meeting or activity for which they have already received an allowance, are they required to repay the allowance?***

The Determination does not specify requirements for payment or repayments of allowances. Allowances are normally paid in arrears.

***If a council member is unable to attend a meeting or activity due to illness or unforeseen circumstances, can they still claim allowances for the missed meeting or activity?***

No, a council member can only claim allowances for a meeting/activity they were present for.

***Is there a minimum part/amount of time required for the attendance at a meeting to get the allowance, for example attendance at 80 per cent of the scheduled meeting?***

The Determination does not specify the minimum attendance time required per meeting. However, it is common for councils to have established policies and procedures in place for meetings and the payment of allowances to council members. The Determination does nominate different amounts for the time period in attendance, including up to 2 hours, between 2 and 4 hours and more than 4 hours. For example, if a council member attends a meeting/activity for 1.5 hours and the full meeting was for 4 hours, the member is entitled to the 'up to 2 hour' amount (\$200).

***Can a council member claim the extra meeting/activity allowance for attending a meeting or activity via telephone/video conference?***

Yes, under sections 95(3)(a) and 98(3)(a) of the *Local Government Act 2019*, the member's attendance at the meeting by means of an audio or audiovisual conferencing system is authorised in accordance with a council resolution establishing a policy for attendance in such a manner.

## Frequently asked questions

## 5 - Professional development

***Are there any limitations on the number of professional development courses that a council member can take per year?***

The Determination does not limit the number of professional development courses that a council member can attend each year. However, the course must be relevant to their role as councillor and be approved by the council.

***If a member needs to book flights and accommodation to get to the professional development course, would that be covered under the Professional Development Allowance?***

The Determination does not specify if the Professional Development Allowance may be claimed for the costs (including travel, accommodation and meals) in attending a training course approved by Council. Whether or not these related costs can be claimed is a matter of council policy.

***For proof of completion of a professional development course, will a pass grade be required (if applicable) or will a confirmation of attendance from the provider be suitable?***

The Determination does not specify requirements for attendance or passing a course in order to be eligible for the Professional Development Allowance. This should continue to be managed in line with council policy.

***If a professional development course or several courses will cost more than the yearly allowance, can a councillor use their allowance for the following year?***

Yes, as long as it is still within their elected term. The Determination sets out in paragraph 5.4 that a total of two years' worth of allocations can be used in one financial year, as long as the councillor would still be within their elected term. Alternatively, if a councillor uses part or none of the allowance in one financial year, the allowance will be carried over for the following financial year only, although it will not continue to be carried across further years, even if the councillor is still in term during those years. For example, if the allowance is not accessed for two years, the councillor will lose access to one years' worth of the allowance.

***If a council member does not wish to attend any professional development courses, can their allowance go towards other council members to top up their allowance, for example be pooled for others to use?***

No, the Professional Development Allowance is capped at \$1,000 per financial year for each councillor and principal member of community councils (if approved by council) and \$4,000 per financial year for each member of municipal and regional councils. If a council member does not access any of their Professional Development Allowance it cannot be accessed by other council members that have exhausted their capped allowance and it does not get pooled towards any other allowance or person.

## 6 – Vehicle allowance

***The reimbursement for vehicle use at the Australian Taxation Office (ATO) rate (78 cents per kilometre in 2022-23) may not fully compensate members for travel time or wear and tear on their vehicles. Is there a way the council can 'top up' the allowance?***

No, nothing can be paid above the ATO rate to compensate for vehicle usage.

## Frequently asked questions

***Can a council member claim a Vehicle Allowance for travel outside of the council's jurisdiction?***

Yes, as long as the member is not receiving a vehicle provision or travelling in a council vehicle, and it falls within the circumstances set out in paragraph 6.3. For example, a council member may need to travel outside of the council's jurisdiction to attend an approved function over 50 kilometres from home.

***If a councillor travels 30 kilometres from home in their private vehicle to attend an approved meeting/activity, will the councillor be eligible for the vehicle allowance?***

No, for a councillor to be eligible for the Vehicle Allowance, they must also travel more than 50 kilometres from their home to attend a meeting/activity with a minimum round trip of 100 kilometres.

***What happens if a councillor's vehicle allowance exceeds the capped amount?***

The Vehicle Allowance is capped at \$5,000 per financial year for each councillor. If a councillor reaches the capped amount, the councillor is not eligible for further Vehicle Allowances for that financial year and reimbursement cannot be sought in the following year. However, in some circumstances, kilometres not claimed for an allowance, might be claimable as a tax deduction.

***Are councillors required to keep a logbook to claim the Vehicle Allowance?***

The Determination does not specify requirements for councillors to keep a logbook. However, subject to council policy, it is important for councillors to keep thorough documentation and records when claiming reimbursement for vehicle expenses. Maintaining a diary, logbook or using GPS-enabled phone applications are acceptable methods for tracking travel and keeping accurate records.

## 7 – Provision of motor vehicle

***Is it the council's or the principal member's decision whether to have a vehicle provided or a Vehicle Allowance? For example it may be financially better for the principal member to take an allowance, but financially better for the council to provide a vehicle.***

For municipal and regional councils, it is the council's decision whether to provide the principal member with a vehicle or the Vehicle Allowance. However, a council should support its principal member. Accordingly, councils are encouraged to find out what the principal member's preference is, and where reasonable to do so, accommodate that preference.

***If a council member is acting as principal member, do they gain access to the principal member's Vehicle Allowance at paragraph 7.2?***

No, an acting principal member does not receive any additional allowances under the Determination. They will only be eligible for their usual Vehicle Allowance set out in paragraph 6. However, they may attend more meetings or activities than they otherwise would and be eligible for more Extra Meeting/Activity Allowance payments.

## 8 - Travel allowance

***Can I claim the daily Travel Allowance and/or breakfast, lunch or dinner for a full day trip from 7am to 7pm whilst on approved Council business?***

No, Travel Allowance including food, drinks, incidentals and the daily allowance cannot be claimed for day trips.

## Frequently asked questions

***Can a council member claim the Travel Allowance if they are attending a meeting or activity outside of the Northern Territory?***

Yes, as long as they are staying away from home overnight and are on approved Council business. Table 1 of the Taxation Determination TD 2021/6 sets out the applicable rates for each city/location.

***Can a council member claim both the Vehicle Allowance and the Travel Allowance for the same trip?***

The Travel Allowance covers incidentals such as costs of transportation. If a council member claims incidentals for transportation costs, then the Vehicle Allowance cannot be accessed. However, subject to council policy, a council member may wish to claim the Vehicle Allowance for the kilometres travelled and only receive the Travel Allowance for meals and accommodation expenses. In another situation, a council member may drive more than 50 kilometres from their home to the airport, then catch a flight to attend council business and fly back to the airport the following day. The Vehicle Allowance could be claimed for the kilometres travelled to and from the airport and the Travel Allowance claimed for the time between arrival at and departure from the airport.

## 9 - General

***When will the Determination come into effect since it was tabled at the NT Legislative Assembly on 14 February 2023?***

The Determination is considered made on the date it was signed by the Tribunal, which was 24 January 2023. This means that it comes into effect on 1 July 2023.

## Other Q&As

***Can a member get paid an allowance in advance?***

The Determination does not specify requirements for payments of allowances. Allowances for council members are normally paid in arrears. This means that the allowances are paid after the completion of a specified period of time, usually a month. The exact timing of the payments may vary depending on the specific council and their payment cycle. However, it is common for councils to have established policies and procedures in place for the payment of allowances to council members.

***What is the legal basis for the Determination? Do councils have to follow it?***

In accordance with section 353 of the *Local Government Act 2019*, *Guideline 2A: Council member allowances* was re-made under section 71(2) of *Local Government Act 2008* and is continued in force as a transitional arrangement until the Remuneration Tribunal makes a determination under section 7B of the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006*. Therefore councils will need to continue to comply with the *Guideline 2A* until 30 June 2023, then comply with the Determination from 1 July 2023. Not following the Determination would be a breach of the *Local Government Act 2019* and could potentially be improper conduct under the *Independent Commissioner Against Corruption Act 2017*. In addition, not following the Determination could result in allowances having to be repaid by members following an audit.

***Are the allowances taxed?***

Some are and some are not, it is a council member's own responsibility to seek taxation advice for their particular circumstances and to keep receipts and accurate records.

## Frequently asked questions

***Does the Determination have to be approved by the Minister for Local Government?***

No, the Remuneration Tribunal is independent from the Minister. The Tribunal's Determination is final and requires no further approval.

***Will the Remuneration Tribunal carry out reviews/audits on councils' compliance with its Determination?***

No, the Department of the Chief Minister and Cabinet is responsible for administering the *Local Government Act 2019*. While the Determination is made under the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006*, it is section 106 of the *Local Government Act 2019* that requires allowances to be paid in accordance with the Determination. Compliance reviews or investigations carried out by the Department of the Chief Minister and Cabinet may consider if a council has correctly followed the Determination.

***How can I access the full Report and Determination tabled in the NT Legislative Assembly?***

You can access the Remuneration Tribunal's reports and determinations via [cmc.nt.gov.au](http://cmc.nt.gov.au).

If you have a query relating to the Determination, contact the Local Government Unit, Department of the Chief Minister and Cabinet via [LGQuestions.CMC@nt.gov.au](mailto:LGQuestions.CMC@nt.gov.au).

**15.3 COMMITTEE MEETING MINUTES**

**Author:** Councillor and Committees Support Officer

**Authoriser:** Manager Office of Council and CEO

**Attachments:**

1. Youth Advisory Committee Unconfirmed Minutes 9 March 2023 [↓](#)
2. Reconciliation Advisory Committee Unconfirmed Minutes 20 March 2023 [↓](#)

**RECOMMENDATIONS**

THAT the report entitled Committee Meeting Minutes be received and noted.

**PURPOSE**

The purpose of this report is to present the minutes of the committee meetings in March 2023 to Council.

**KEY ISSUES**

- The Youth Advisory Committee unconfirmed minutes of 9 March 2023 are presented at **Attachment 1**.
- The Reconciliation Advisory Committee unconfirmed minutes of 20 March 2023 are presented at **Attachment 2**.

**DISCUSSION**

This report provides the minutes for the following committees:

- Youth Advisory Committee
- Reconciliation Advisory Committee

Any recommendations that arise from the committee meetings will be presented to Council in a separate report.

**PREVIOUS COUNCIL RESOLUTION**

At the 28 March 2023 meeting Council resolved:

**RESOLUTION ORD146/23**

THAT the report entitled Committee Meeting Minutes be received and noted.

<b>STRATEGIC PLAN ALIGNMENT</b>	6 Governance Framework 6.1 Vision and Culture
<b>BUDGET / FINANCIAL / RESOURCE IMPLICATIONS</b>	Nil
<b>LEGISLATION / POLICY CONTROLS OR IMPACTS</b>	<b>Legislation:</b> <i>Local Government Act 2019</i> <b>Policy:</b> Policy 043 Meetings Policy 093 Advisory and Other Committees
<b>CONSULTATION, ENGAGEMENT &amp; COMMUNICATION</b>	Nil
<b>DECLARATION OF INTEREST</b>	The report author does not have a conflict of interest in relation to this matter. The report authoriser does not have a conflict of interest in relation to this matter. 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).



# **MINUTES**

**Youth Advisory Committee Meeting  
Thursday, 9 March 2023**

**MINUTES OF CITY OF DARWIN  
YOUTH ADVISORY COMMITTEE MEETING  
HELD AT THE MEETING ROOM , GUYUGWA ROOM, CASUARINA LIBRARY, BRADSHAW  
TERRACE, CASUARINA  
ON THURSDAY, 9 MARCH 2023 AT 5.30PM - 7.00PM**

**PRESENT:**

Member Jules Gabor (Chair)  
Member Jemima Fernandes  
Member Anais Henry-Martin  
Member Adam Van Wessel  
Member Kane Shah  
Alternate Councillor Sylvia Klonaris

**OFFICERS:**

Lisa Burnett (Coordinator Youth Programs)  
Courtney Green (Trainee Youth Programs)

**APOLOGY:**

Councillor Rebecca Want de Rowe  
Member Kelvin Sidhu  
Lucy Tinapple  
Sarah Sedman

**GUESTS:**

Jess Ong  
Shay Jayawardena  
Xavier Steele  
Vivek Wilson

## Youth Advisory Committee Meeting Minutes

9 March 2023

**Order Of Business**

<b>1</b>	<b>Meeting Declared Open .....</b>	<b>4</b>
<b>2</b>	<b>Acknowledgement of Country .....</b>	<b>4</b>
<b>3</b>	<b>Apologies &amp; Leave Of Absence .....</b>	<b>4</b>
<b>4</b>	<b>Electronic Attendance - Nil .....</b>	<b>4</b>
<b>5</b>	<b>Declaration of Interest of Members and Staff .....</b>	<b>4</b>
<b>6</b>	<b>Confirmation of Previous Minutes .....</b>	<b>4</b>
<b>7</b>	<b>Actions Arising from Previous Minutes .....</b>	<b>4</b>
<b>8</b>	<b>Presentations .....</b>	<b>5</b>
<b>Nil</b>	<b>5</b>	
<b>9</b>	<b>Officer Reports.....</b>	<b>5</b>
9.1	Communications Workshop - Developing Engagement Strategies for Youth Week.....	5
9.2	Consultation - Melaleuca Australia - Embrace Project.....	5
9.3	Endorsement of New Member/s .....	6
<b>10</b>	<b>Member Reports .....</b>	<b>6</b>
	Nil	
<b>11</b>	<b>General Business.....</b>	<b>6</b>
<b>12</b>	<b>Next Meeting .....</b>	<b>6</b>
	<b>Thursday 11 May 2023, 5.30-7pm Casuarina Library, Guyugwa room .....</b>	<b>6</b>

**1 MEETING DECLARED OPEN**

The Chair declared the meeting open at 5:35 pm.

**2 ACKNOWLEDGEMENT OF COUNTRY**

*City of Darwin acknowledges that we are living and working on Larrakia Country. We acknowledge the Larrakia people as the Traditional Owners of the Darwin region. We pay our respects to the Larrakia elders past and present and support emerging Larrakia leaders now and into the future. City of Darwin is committed to working together with all Larrakia to care for this land and sea for our shared future.*

**3 APOLOGIES & LEAVE OF ABSENCE****3.1 Apologies**

Member Kelvin Sidhu  
Councillor Rebecca Want de Rowe  
Lucy Tinapple (observer)  
Sarah Sedman (observer)

**3.2 Leave of Absence - Nil****3.3 Leave of Absence Notified - Nil****4 ELECTRONIC ATTENDANCE - Nil****5 DECLARATION OF INTEREST OF MEMBERS AND STAFF****5.1 Declaration of Interest by Members - Nil****5.2 Declaration of Interest by Staff - Nil****6 CONFIRMATION OF PREVIOUS MINUTES****COMMITTEE RESOLUTION YAC005/23**

Moved: Member Jemima Fernandes

Seconded: Member Adam Van Wessel

That the minutes of the Youth Advisory Committee Meeting held on 9 February 2023 be confirmed.

**CARRIED 6/0**

**7 ACTIONS ARISING FROM PREVIOUS MINUTES**

Nil

**8 PRESENTATIONS**

Nil

**9 OFFICER REPORTS****9.1 COMMUNICATIONS WORKSHOP - DEVELOPING ENGAGEMENT STRATEGIES FOR YOUTH WEEK****COMMITTEE RESOLUTION YAC006/23**

Moved: Member Anais Henry-Martin

Seconded: Member Jemima Fernandes

That the report Communications Workshop – Developing Engagement Strategies for Youth Week be received and noted.

**CARRIED 6/0**

Discussion:

Jess Ong, radio presenter and podcast producer delivered a communications workshop designed to give members greater confidence when approaching young people to have conversations. The workshop covered topics such as what makes a good question, how to know when a conversation is over and the importance of being present and flexible so you can follow interesting and unexpected conversational topics as they emerge.

**9.2 CONSULTATION - MELALEUCA AUSTRALIA - EMBRACE PROJECT****COMMITTEE RESOLUTION YAC007/23**

Moved: Councillor Sylvia Klonaris

Seconded: Member Anais Henry-Martin

That the report Consultation – Melaleuca Australia - Embrace Project be received and noted.

**CARRIED 6/0**

Discussion:

Shay Jayawardena, Community Development Mentor from Melaleuca Australia ran a short consultation with members about the Embrace Project which is seeking to better understand the needs and interests of Darwin's culturally and linguistically diverse youth community. Members shared information about their own cultural backgrounds and completed a short online survey.

**9.3 ENDORSEMENT OF NEW MEMBER/S****COMMITTEE RESOLUTION YAC008/23**

Moved: Councillor Sylvia Klonaris

Seconded: Member Anais Henry-Martin

1. That the report Endorsement of New Member/s be received and noted.
2. THAT the Youth Advisory Committee recommend to Council four new members be appointed to the a two-year term -
  - Lucy Tinapple
  - Sarah Sedman
  - Vivek Wilson
  - Xavier Steele

**CARRIED 6/0****10 MEMBER REPORTS**

Nil

**11 GENERAL BUSINESS**

CYP provided an update on Youth Week activities being presented by Council:

Skate Park Trek – Wednesday 12 April

Gaming After Dark – Friday 14 April

FREEze Skate – Saturday 15 April

Couch Surfing – Wednesday 19 April

CYP reiterated that there will be opportunities for members to get involved with MCing and other support roles at Couch Surfing.

CYP noted that it is likely City of Darwin Libraries and Youth Programs will have a combined stall at the Youth Conference on Wednesday 5 April.

YEO to circulate NTG School Holiday / Youth Week Calendar to members when it is released (late March).

**12 NEXT MEETING**

Thursday 11 May 2023, 5.30-7pm

Casuarina Library, Guyugwa room

The Chair declared the meeting closed at 7:05pm.



# **MINUTES**

## **Reconciliation Advisory Committee Meeting**

**Monday, 20 March 2023**

**MINUTES OF CITY OF DARWIN  
RECONCILIATION ADVISORY COMMITTEE MEETING  
HELD AT THE MEETING ROOM BIDJPIDJI (MEETING ROOM 1), MEETING ROOM BIDJPIDJI  
(MEETING ROOM 1), LEVEL 1, CIVIC CENTRE, HARRY CHAN AVENUE, DARWIN  
ON MONDAY, 20 MARCH 2023 AT 1.30PM**

**PRESENT:**

Councillor Peter Pangquee  
Larrakia Nation David Kurnoth (Chair)  
North Australian Aboriginal Justice Agency (NAAJA) Mark Munnich  
NT Indigenous Business Network Deb Anstess-Vallejo  
NT Public Health Network Jace Berry  
Community Member Leah Gardiner

**OFFICERS:**

Chief Executive Officer Simone Saunders  
Executive Manager Community and Cultural Services Angela O'Donnell  
Darwin Safer City Program Coordinator Elly Bugg

**APOLOGY:**

Community Member Nicole Brown  
ABC Radio Charlie King  
NT Public Health Network Melinda Phillips  
Reconciliation Action Lead Lee Turner

**GUESTS:**

Councillor Morgan Rickard (Alternate)  
Georgia Corrie - NT Organiser - From The Heart  
Damien Mick - Identity Belonging Culture Community Services – NT Reconciliation Network

## Reconciliation Advisory Committee Meeting Minutes

20 March 2023

**Order Of Business**

<b>1</b>	<b>Meeting Declared Open .....</b>	<b>4</b>
<b>2</b>	<b>Acknowledgement of Country .....</b>	<b>4</b>
<b>3</b>	<b>Apologies &amp; Leave Of Absence .....</b>	<b>4</b>
<b>4</b>	<b>Electronic Attendance .....</b>	<b>4</b>
<b>5</b>	<b>Declaration of Interest of Members and Staff .....</b>	<b>4</b>
<b>6</b>	<b>Confirmation of Previous Minutes .....</b>	<b>5</b>
<b>7</b>	<b>Actions Arising from Previous Minutes .....</b>	<b>5</b>
<b>8</b>	<b>Presentations .....</b>	<b>5</b>
<b>9</b>	<b>Officer Reports .....</b>	<b>5</b>
9.1	Presentation by Georgia Corrie on ULURU STATEMENT from the Heart and Voice to Parliament .....	5
9.2	Damien Mick - IBC Community Services - Presentation on Reconciliation NT Network .....	5
9.3	Proposed Meeting Dates 2023 .....	6
9.4	Consultation Draft Reconciliation Action Plan 2023 to 2025 .....	6
9.5	RAP Stakeholder Internal and External Engagement .....	6
9.6	Notes from 14 November 2022 Meeting .....	7
9.7	Membership Update .....	7
9.8	New Creditor Request Form .....	7
<b>10</b>	<b>Member Reports .....</b>	<b>7</b>
	Nil	
<b>11</b>	<b>General Business .....</b>	<b>7</b>
	Nil	
<b>12</b>	<b>Next Meeting .....</b>	<b>7</b>

**1 MEETING DECLARED OPEN**

The Chair declared the meeting open at 1.37pm.

**2 ACKNOWLEDGEMENT OF COUNTRY**

*City of Darwin acknowledges that we are living and working on Larrakia Country. We acknowledge the Larrakia people as the Traditional Owners of the Darwin region. We pay our respects to the Larrakia elders past and present and support emerging Larrakia leaders now and into the future. City of Darwin is committed to working together with all Larrakia to care for this land and sea for our shared future.*

**3 APOLOGIES & LEAVE OF ABSENCE****3.1 Apologies**

Community Member Nicole Brown

ABC Radio Charlie King

NT Public Health Network Melinda Phillips

Reconciliation Action Lead Lee Turner

**3.2 Leave of Absence****3.3 Leave of Absence Notified****4 ELECTRONIC ATTENDANCE**

Community Member Leah Gardiner

**5 DECLARATION OF INTEREST OF MEMBERS AND STAFF****5.1 Declaration of Interest by Members****5.2 Declaration of Interest by Staff**

**6 CONFIRMATION OF PREVIOUS MINUTES****COMMITTEE RESOLUTION RAC012/23**

Moved: Larrakia Nation David Kurnoth

Seconded: Councillor Peter Pangquee

That the minutes of the Reconciliation Advisory Committee Meeting held on 26 September 2022 be confirmed.

**CARRIED 6/0**

**7 ACTIONS ARISING FROM PREVIOUS MINUTES**

Nil

**8 PRESENTATIONS**

Refer to Items 9.1 and 9.2

**9 OFFICER REPORTS****9.1 PRESENTATION BY GEORGIA CORRIE ON ULURU STATEMENT FROM THE HEART AND VOICE TO PARLIAMENT****COMMITTEE RESOLUTION RAC013/23**

Moved: Larrakia Nation David Kurnoth

Seconded: Councillor Peter Pangquee

1. THAT the Presentation by Georgia Corrie on Uluru Statement from the Heart and Voice to Parliament be received and noted.

**CARRIED 6/0**

**9.2 DAMIEN MICK - IBC COMMUNITY SERVICES - PRESENTATION ON RECONCILIATION NT NETWORK****COMMITTEE RESOLUTION RAC014/23**

Moved: Councillor Peter Pangquee

Seconded: Larrakia Nation David Kurnoth

1. THAT the report titled – Damien Mick - IBC Community Services - Presentation on Reconciliation NT Network be received and noted.

**CARRIED 6/0**

**9.3 PROPOSED MEETING DATES 2023****COMMITTEE RESOLUTION RAC015/23**

Moved: Larrakia Nation David Kurnoth

Seconded: NT Public Health Network Jace Berry

1. THAT the report entitled Frequency of Meetings, Time and Location be received and noted.
2. THAT the Reconciliation Advisory Committee adopts the following schedule for meetings in 2023:
  - a) Meetings to be held on Mondays
  - b) Meetings to be held from 1:30 PM to 3:00 PM
  - c) Meetings to be held at the Civic Centre  
and
  - d) Five meetings to be held:
    - i. 20 March 2023
    - ii. 15 May 2023
    - iii. 10 July 2023
    - iv. 11 September 2023
    - v. 13 November 2023

**CARRIED 6/0****9.4 CONSULTATION DRAFT RECONCILIATION ACTION PLAN 2023 TO 2025****COMMITTEE RESOLUTION RAC016/23**

Moved: Councillor Peter Pangquee

Seconded: NT Public Health Network Jace Berry

1. THAT the report entitled Consultation Draft Reconciliation Action Plan be received and noted.

**CARRIED 6/0****9.5 RAP STAKEHOLDER INTERNAL AND EXTERNAL ENGAGEMENT****COMMITTEE RESOLUTION RAC017/23**

Moved: Councillor Peter Pangquee

Seconded: Larrakia Nation David Kurnoth

1. THAT the report entitled RAP Stakeholder Internal and External Engagement be received and noted.

**CARRIED 6/0**

**9.6 NOTES FROM 14 NOVEMBER 2022 MEETING****COMMITTEE RESOLUTION RAC018/23**

Moved: Councillor Peter Pangquee

Seconded: Larrakia Nation David Kurnoth

1. THAT the report entitled Notes from 14 November 2022 Meeting be received and noted

**CARRIED 6/0****9.7 MEMBERSHIP UPDATE****COMMITTEE RESOLUTION RAC019/23**

Moved: Larrakia Nation David Kurnoth

Seconded: Councillor Peter Pangquee

1. THAT the report entitled Organisational Member from National Indigenous Australians Agency Carol Stanislaus be received and noted.
2. THAT Reconciliation Advisory Committee thank Carol Stanislaus for her valued contribution to the Committee.

**CARRIED 6/0****9.8 NEW CREDITOR REQUEST FORM****COMMITTEE RESOLUTION RAC020/23**

Moved: Councillor Peter Pangquee

Seconded: Larrakia Nation David Kurnoth

1. THAT the report entitled City of Darwin Creditor Form be received and noted.

**CARRIED 6/0****10 MEMBER REPORTS**

Nil

**11 GENERAL BUSINESS**

Nil

**12 NEXT MEETING**

15 May 2023

The Chair declared the meeting closed at 2.57pm.

**16      REPORTS OF REPRESENTATIVES**

**17      QUESTIONS BY MEMBERS**

**18 GENERAL BUSINESS****18.1 INCOMING CORRESPONDENCE - DEPARTMENT OF THE CHIEF MINISTER AND CABINET - GUIDELINE FOR THE MANAGEMENT OF HUMAN REMAINS**

**Author:** Coordinator Councillor Governance and Support

**Authoriser:** Chief Executive Officer

**Attachments:** 1. Incoming Correspondence - Department of the Chief Minister and Cabinet - Guideline for the Management of Human Remains [↓](#)

**RECOMMENDATIONS**

THAT the Incoming Correspondence - Department of the Chief Minister and Cabinet - Guideline for the Management of Human Remains be received and noted.

# *Guideline for the management of human remains*

Department of the Chief Minister and Cabinet



Document title	Guideline for the management of human remains
Contact details	Department of the Chief Minister and Cabinet
Approved by	
Date approved	
Document review	
TRM number	

Burial and Cremation Act 2022

Making of Guideline

I, Frank Frederick Stewart Daly, Chief Executive Officer of the Department of the Chief Minister and Cabinet, under section 192(2) and section 194(1) of the *Burial and Cremation Act 2022*, hereby make this Guideline.

.....  
Chief Executive Officer  
Department of the Chief Minister and Cabinet  
/ / 2023

Contents

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4 Relevance to Act.....4

5 Purpose .....4

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7 Declared infectious diseases .....5

8 Exhumation inside cemetery .....5

9 Decision making.....6

10 Communication protocols.....6

11 Transportation and storage .....7

DRAFT ONLY

*Guideline for the management of human remains*

## 1 Title

- 1.1 This Guideline is titled *Guideline for the management of human remains*.

## 2 Commencement

- 2.1 This Guideline commences on the day after the day it is made.

## 3 Definitions

For the purposes of this Guideline:

**Act** means the *Burial and Cremation Act 2022*.

**CEO** means the Chief Executive Officer of the Agency administering the Act.

**CHO** means the Chief Health Officer.

**declared infectious disease**, see clause 7.

**exhumation** means the removal of human remains from a burial site, including the temporary removal of human remains for reburial at the same burial site.

**exhumed remains** means human remains that have been exhumed from a burial site and have not yet been buried, disposed of, or otherwise relocated.

**identifier**:

- (a) for human remains – means information that is attached to the deceased person for the purposes of identifying the human remains; or
- (b) for a funerary box – means information that is attached to, or marked on, the funerary box for the purposes of identifying the human remains that are in the funerary box.

**vehicle** includes the following:

- (a) an aircraft;
- (b) a motor vehicle;
- (c) a vessel as defined in the *Marine Act 1981*.

*Note for clause 3*

*The Act also contains definitions that are relevant to this Guideline.*

## 4 Relevance to Act

- 4.1 Section 192(2) of the Act provides that the CEO may, after consulting with the CHO, make guidelines in relation to any declared infectious disease for the purposes of burials, disposals or exhumations under this Act.
- 4.2 Section 194(1) of the Act provides that the CEO may make guidelines relating to any matter under this Act.

## 5 Purpose

- 5.1 This Guideline provides guidance and rules for the following matters relating to the management of human remains:
- (a) identification of human remains;
  - (b) exhumations and declared infectious diseases;

*Guideline for the management of human remains*

- (c) exhumation of human remains inside cemeteries;
- (d) decision making with regard to human remains;
- (e) protocols in relation to communicating with next of kin;
- (f) transportation of human remains; and
- (g) storage of human remains.

## 6 Identification

6.1 As soon as practicable after the death of a deceased person, the following are to be identified by the funeral director managing the human remains through the use of an identifier:

- (a) the human remains;
- (b) the funerary box for the human remains, if applicable.

*Example for clause 6.1(a)*

*An identifier used for human remains may be a wrist or ankle band.*

6.2 A funeral director is to establish and maintain electronic records relating to identifiers.

## 7 Declared infectious diseases

7.1 In accordance with section 192(1) of the Act, in relation to exhumations, a declared infectious disease is one of the following diseases:

- (a) diphtheria;
- (b) human coronavirus with pandemic potential;
- (c) human influenza with pandemic potential;
- (d) Middle East respiratory syndrome;
- (e) plague;
- (f) severe acute respiratory syndrome;
- (g) smallpox;
- (h) tuberculosis;
- (i) viral haemorrhagic fevers.

## 8 Exhumation inside cemetery

8.1 In accordance with section 87(5)(c) of the Act, an application for approval to exhume human remains of a deceased person in a cemetery will require consultation with the CHO if:

- (a) the deceased person suffered from a declared infectious disease at the time of the person's death; and
- (b) the burial occurred less than 6 months prior to the date of the proposed exhumation.

*Note for clause 8.1*

*Consultation with the CHO is also required in relation to an exhumation of human remains outside a cemetery if the circumstances set out in paragraphs (a) and (b) apply. See section 94(3)(b) of the Act.*

*Guideline for the management of human remains*

- 8.2 In accordance with section 87(6) of the Act, in relation to giving an exhumation approval for an exhumation inside a cemetery, the CEO may impose conditions that the CEO considers appropriate that are consistent with, or otherwise in addition to, this Guideline.
- 8.3 For section 90 of the Act, in relation to an exception for an exhumation approval, human remains are still considered to have been immediately returned to the burial site despite:
- (a) the exhumed remains being transported for temporary storage; or
  - (b) the exhumed remains being placed in funerary box, receptacle, container or wrapping.

## 9 Decision making

- 9.1 Subject to any other legislative requirements, decision making for the transportation and storage of human remains of a deceased person is to be done in accordance with:
- (a) the wishes of the decision maker for the deceased person; and
  - (b) this Guideline.

*Note for clause 9.1*

*A decision maker, for a deceased person, is defined in section 9 of the Act as:*

- (a) the executor or administrator of the estate of the deceased person; or
- (b) if there is no executor or administrator of the estate of the deceased person – the senior next of kin; or
- (c) in any other case – the Public Trustee.

## 10 Communication protocols

- 10.1 Next of kin of a deceased person should be provided with timely, adequate and accurate information, for the purpose of making decisions related to a deceased person's remains.

*Note for clause 10.1*

*Consideration should be given to the next of kin's preferred method of communication and reasonable requests such as:*

- (a) having a support person present; and/or
- (b) having an interpreter present; and/or
- (c) receiving information in written and/or verbal form.

- 10.2 If applicable, interpreters who are accredited or recognised by the National Accreditation Authority for Translators and Interpreters should be used when discussing matters related to decisions about human remains.

*Note for clause 10.2*

*A suitable interpreter may be identified by contacting the Interpreting and Translating Service NT, or the Aboriginal Interpreter Service.*

- 10.3 Where a dispute has arisen in relation to determining the decision maker or senior next of kin for a deceased person, it is recommended that disputing parties:
- (a) in the first instance, participate in mediation in accordance with provisions in section 12 of the Act; and
  - (b) if the dispute remains unresolved, make an application with the Northern Territory Civil Administration Tribunal for a determination of the decision maker or senior next of kin for the deceased person.

*Guideline for the management of human remains*

## 11 Transportation and storage

- 11.1** Human remains that are being transported in a vehicle are to be covered and placed in a part of the vehicle that:
- (a) is physically separate from the part of the vehicle designed for the carriage of the driver and passengers;
  - (b) allows for the secure placement of the human remains or the human remains are otherwise restrained during transport; and
  - (c) is capable of being easily cleaned and disinfected.
- 11.2** Human remains are not to be transported in a vehicle for more than 8 hours while unrefrigerated.
- 11.3** A vehicle is not to be used for the storage of human remains.
- 11.4** Human remains that are being transported in a vehicle are to be contained in a funerary box, receptacle, container or wrapping that does not allow any bodily discharge, contaminants or infectious substances to escape.
- 11.5** A funerary box, receptacle, container or wrapping is to be an appropriate size to accommodate the human remains lying flat and straight.
- 11.6** When not being transported, human remains must be stored in a location that:
- (a) has adequate temperature controls to manage the condition of the human remains; and
  - (b) is solely reserved for the storage of human remains or is otherwise physically separated from other areas of the location that are used for other purposes.
- 11.7** If human remains are to be exhumed within 12 months after burial, the storage of the exhumed remains must be:
- (a) in a freezer facility; and
  - (b) arranged and confirmed prior to the exhumation taking place.
- 11.8** Clauses 11.4, 11.5, 11.6 and 11.7 do not apply if the containment or storage of the human remains relates to the exercise of rights and interests mentioned in section 5 of the Act.

*Example for clause 11.8*

*Human remains kept in a traditional keeping place as an exercise of traditional rights to use Aboriginal land in accordance with the Aboriginal Land Rights (Northern Territory) Act 1976 (Cth).*

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

THAT the next Ordinary Meeting of Council be held on Tuesday, 16 May 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 Draft 2023/24 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 Christmas Pageant**

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 Sister Cities Action Plan 2023-24**

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 Precinct Management Authority**

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 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.

**27.1 Cyclone Tracy Submission**

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.

**27.2 Council of Capital City Lord Mayors April City Pulse Quarterly Report**

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.

**27.3 City Safe Patrols Quarterly Report – January to March 2023**

This matter is considered to be confidential under Section 99(2) - 51(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on

balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

**27.4 Corporate Services Report: January - March 2023**

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

**28.1 Incoming Correspondence - Heritage Council Northern Territory - Proposed Heritage Site**

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**



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 11 April 2023**

Reports, recommendations and supporting documentation can be accessed via the City of Darwin Council Website at [www.darwin.nt.gov.au](http://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, 11 APRIL 2023 AT 5:30PM**

**PRESENT:**

Lord Mayor Kon Vatskalis  
Deputy Lord Mayor Kim Farrar  
Councillor Jimmy Bouhoris  
Councillor Brian O'Gallagher  
Councillor Sylvia Klonaris  
Councillor Mick Palmer  
Councillor Peter Pangquee  
Councillor Morgan Rickard  
Councillor Amye Un  
Councillor Rebecca Want de Rowe

**OFFICERS:**

Simone Saunders (Chief Executive Officer)  
Matt Grassmayr (General Manager Community)  
Steve Thacker (General Manager Corporate)  
Alice Percy (General Manager Innovation)

**APOLOGY:**

Councillor Paul Arnold  
Councillor Ed Smelt

**NOT PRESENT:**

Councillor Vim Sharma

**GUESTS:**

Nil

**Order of Business**

<b>1</b>	<b>Acknowledgement of Country .....</b>	<b>4</b>
<b>2</b>	<b>The Lord's Prayer .....</b>	<b>4</b>
<b>3</b>	<b>Meeting Declared Open .....</b>	<b>4</b>
<b>4</b>	<b>Apologies and Leave of Absence .....</b>	<b>4</b>
<b>5</b>	<b>Electronic Meeting Attendance.....</b>	<b>5</b>
<b>6</b>	<b>Declaration of Interest of Members and Staff .....</b>	<b>6</b>
<b>7</b>	<b>Confirmation of Previous Minutes.....</b>	<b>6</b>
<b>8</b>	<b>Moving of Items .....</b>	<b>6</b>
<b>9</b>	<b>Matters of Public Importance / Lord Mayoral Minute .....</b>	<b>7</b>
<b>10</b>	<b>Public Question Time .....</b>	<b>7</b>
<b>11</b>	<b>Petitions .....</b>	<b>7</b>
<b>12</b>	<b>Deputations and Briefings .....</b>	<b>8</b>
<b>13</b>	<b>Notices of Motion.....</b>	<b>8</b>
<b>14</b>	<b>Action Reports .....</b>	<b>8</b>
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14.2	Social Media Policy .....	8
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<b>16</b>	<b>Reports of Representatives .....</b>	<b>10</b>
<b>17</b>	<b>Questions by Members .....</b>	<b>10</b>
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17.2	East Timor   Request from Media .....	11
<b>18</b>	<b>General Business.....</b>	<b>11</b>
<b>19</b>	<b>Date, time and place of next Ordinary Council Meeting.....</b>	<b>11</b>
<b>20</b>	<b>Closure of Meeting to the Public .....</b>	<b>11</b>
<b>21</b>	<b>Adjournment of Meeting and Media Liaison .....</b>	<b>13</b>

## 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 ORD166/23

Moved: Councillor Amye Un

Seconded: Councillor Mick Palmer

The Chair declared the meeting open at 5.32 pm.

**CARRIED 10/0**

## 4 APOLOGIES AND LEAVE OF ABSENCE

### 4.0 APOLOGIES

### RESOLUTION ORD167/23

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Peter Pangquee

THAT the apology from Councillor Ed Smelt and Councillor Paul Arnold, be received.

**CARRIED 10/0**

#### 4.1 ABSENCE WITHOUT PERMISSION

**RESOLUTION ORD168/23**

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Peter Pangquee

THAT is accordance with Section 47(1)(o) of the *Local Government Act 2019* Councillor Vim Sharma is absent from the meeting without permission.

**CARRIED 10/0**

#### 4.2 LEAVE OF ABSENCE GRANTED

Nil

#### 4.3 LEAVE OF ABSENCE REQUESTED

**RESOLUTION ORD169/23**

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Peter Pangquee

THAT a Leave of Absence be granted for:

- Councillor Brian O'Gallagher for the period 23 April to 5 May 2023;
- Deputy Lord Mayor Kim Farrar for the period 18 May to 21 May 2023

**CARRIED 10/0**

### 5 ELECTRONIC MEETING ATTENDANCE

#### 5.1 ELECTRONIC MEETING ATTENDANCE GRANTED

Nil

#### 5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED

**RESOLUTION ORD170/23**

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Peter Pangquee

THAT Council note that the following member was granted permission for Electronic Meeting Attendance at this Ordinary Council Meeting held on Tuesday, 26 April 2023:

- Councillor Sylvia Klonaris

**CARRIED 10/0**

## **6 DECLARATION OF INTEREST OF MEMBERS AND STAFF**

### **6.1 DECLARATION OF INTEREST BY MEMBERS**

Nil

### **6.2 DECLARATION OF INTEREST BY STAFF**

Nil

## **7 CONFIRMATION OF PREVIOUS MINUTES**

### **RESOLUTION ORD171/23**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Amye Un

THAT the minutes of the Ordinary Council Meeting held on 28 March 2023 be confirmed.

**CARRIED 10/0**

## **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****26.2 STRATEGIC PROPERTY PLAN AND FRAMEWORK****RESOLUTION ORD184/23**

Moved: Councillor Morgan Rickard

Seconded: Councillor Jimmy Bouhoris

1. THAT the report entitled Strategic Property Plan and Framework be received and noted.
2. THAT Council endorse the Strategic Property Plan at **Attachment 1**.
3. THAT Council note that both documents are subject to further refinement as properties are reviewed and Strategic Property Plan actions are completed over time.
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 10/0****27.1 PARKLETS UPDATE 2023****RESOLUTION ORD191/23**

Moved: Councillor Mick Palmer

Seconded: Councillor Amye Un

1. THAT the report entitled Parklets Update 2023 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 9/0****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**

Nil

**14 ACTION REPORTS****14.1 IMAGE MANAGEMENT AND CONSENT POLICY****RESOLUTION ORD172/23**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Morgan Rickard

1. THAT the report entitled Image Management and Consent Policy be received and noted.
2. THAT Council adopt the Image Consent and Management Policy at **Attachment 1**.

**CARRIED 10/0**

ITEM 14.1 - Administrative Change – FORM 1370.001.E.R – “*your image*”, replaced with “*image of your likeness*”

ITEM 14.1 Administrative Change – POLICY 1370.100.E.R – With Scope 2, an additional dot point added, “*Elected Members*”

**14.2 SOCIAL MEDIA POLICY****RESOLUTION ORD173/23**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Peter Pangquee

1. THAT the report entitled Social Media Policy be received and noted.
2. THAT Council adopt the Social Media Policy at **Attachment 1**.

**CARRIED 10/0**

**14.3 REVIEW OF COMMUNICATIONS AND MEDIA POLICY****RESOLUTION ORD174/23**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Brian O'Gallagher

1. THAT the report entitled Review of Communications and Media Policy be received and noted.
2. THAT Council adopt the revised Communications and Media Policy at **Attachment 1**.

**CARRIED 10/0**

ITEM 14.3 Administrative Change – POLICY 1310.100.E.R – With Clause 3.2.2, dot point removed, “not reflect adversely on a decision of the Council”.

**14.4 REVIEW OF COMMUNITY ENGAGEMENT POLICY****RESOLUTION ORD175/23**

Moved: Councillor Amye Un

Seconded: Councillor Peter Pangquee

1. THAT the report entitled Review of Community Engagement Policy be received and noted.
2. THAT Council adopt the Community Engagement Policy at **Attachment 1**.
3. THAT Council receive and note the Community Engagement Framework at **Attachment 2**.

**CARRIED 10/0**

**15 RECEIVE & NOTE REPORTS****15.1 DRAFT RECONCILIATION ACTION PLAN 2023-2025****RESOLUTION ORD176/23**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Peter Pangquee

THAT the report entitled Draft Reconciliation Action Plan 2023-2025 be received and noted

**CARRIED 10/0**

## 16 REPORTS OF REPRESENTATIVES

### RESOLUTION ORD177/23

Moved: Councillor Amye Un

Seconded: Councillor Sylvia Klonaris

THAT the following Reports of Representatives be received and noted.

#### 16.18

Councillor Brian O'Gallagher reported on attending the Citizenship Ceremony. It was an opportunity to express to the participants that we had three levels of Government, all united on welcoming them on taking on Australian Citizenships in the Northern Territory.

#### 16.2

Councillor Amye Un attended the Kalymnian Brotherhood Darwin Seniors Easter Lunch, it was amazing.

#### 16.3

Deputy Lord Mayor Kim Farrar and Councillor Sylvia Klonaris also attended the Kalymnian Brotherhood Darwin Seniors Easter Lunch. We gave out free tickets for prizes donated by the City of Darwin with four (4) seniors receiving vouchers. It was a hit.

#### 16.4

Councillor Sylvia Klonaris acknowledged attending the Senior Easter Lunch, and the question was asked if the City of Darwin could support or contribute towards the next senior lunch activity later in the year.

The Lord Mayor Kon Vatskalis advised that they can apply for a community grant.

**CARRIED 10/0**

## 17 QUESTIONS BY MEMBERS

### 17.1 CLICK AND FIX

#### RESOLUTION ORD178/23

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Kim Farrar

#### Question:

Councillor Sylvia Klonaris has had a request from a community member to access statistical information on Click and Flix. Can City of Darwin establish this on the platform to demonstrate how busy we are, and the type of work we are doing for the community?

#### Answer:

The Lord Mayor Kon Vatskalis advised this is an operational domain, but as Councillors we can put in a motion for feedback.

The Chief Executive Officer, Simone Saunders advised Click and Fix does not have a visual platform / dashboard for the provision of this. As part of the IT infrastructure review the CRM system will have an enhanced environment, where all the data will be available in a transparent manner.

**CARRIED 10/0**

**17.2 EAST TIMOR | REQUEST FROM MEDIA****RESOLUTION ORD179/23**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Kim Farrar

**Question:**

Councillor Amye Un asked about the Communication Policy in relation to a request by media in East Timor to make a follow up movie in Darwin.

**Answer:**

The Lord Mayor Kon Vatskalis advised Councillor Amye Un to communicate with the Executive Manager Marketing, Communication and Engagement for advice.

**CARRIED 10/0****18 GENERAL BUSINESS**

Nil

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

THAT the next Ordinary Meeting of Council be held on Tuesday, 26 April 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****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 Fannie Bay Equestrian Club Proposal for Development**

This matter is considered to be confidential under Section 99(2) - 51(c)(i) and 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 that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person and information subject to an obligation of confidentiality at law, or in equity.

**26.2 Strategic Property Plan and Framework**

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 City of Darwin Draft By-Laws 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.

**26.4 RV 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.

**26.5 Glamping 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.

**26.6 Expressions of Interest**

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 Parklets Update 2023**

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

Unconfirmed

## **21 ADJOURNMENT OF MEETING AND MEDIA LIAISON**

### **21.1 CLOSURE OF MEETING**

#### **RESOLUTION ORD180/23**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Peter Pangquee

THAT the open section of the meeting be adjourned at 6.02pm.

**CARRIED 10/0**

THAT the open section of the meeting be resumed at 8.17pm.

THAT the chair declared the meeting closed at 8.17pm.

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 April 2023.**

.....  
**CHAIR**