

# RISK MANAGEMENT AND AUDIT COMMITTEE MEETING TUESDAY 25 FEBRUARY 2025

The Committee Meeting of City of Palmerston will be held in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston, NT 0830 commencing at 5:00 PM.

Council business papers can be viewed on City of Palmerston's website <u>palmerston.nt.gov.au</u> or at the Council Office located: Civic Plaza, 1 Chung Wah Terrace, Palmerston NT 0830.

NADINE NILON
CHIEF EXECUTIVE OFFICER





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- 1 ACKNOWLEDGEMENT OF COUNTRY
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- 5 DECLARATION OF INTEREST
  - 5.1 Committee members
  - 5.2 Staff
- 6 CONFIRMATION OF MINUTES
  - 6.1 Confirmation of minutes

THAT the Minutes of the Risk Management and Audit Committee Meeting held on 29 October 2024 pages 290 to 296 be confirmed.

- 6.2 Business arising from previous meeting
- 7 DEPUTATIONS AND PRESENTATIONS
- 8 CONFIDENTIAL ITEMS
  - 8.1 Moving confidential items into open
  - 8.2 Moving open items into confidential
  - 8.3 Confidential items

THAT pursuant to Section 99(2) and 293(1) of the *Local Government Act 2019* and section 51(1) of the *Local Government (General) Regulations 2021* the meeting be closed to the public to consider the following confidential items:

Item	Confidential Category	Confidential Clause
18.1.1	Council Project Initiative	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.
18.1.2	Council Project Initiative	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(i) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.
18.2.1	Review of Confidential Matters	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.
18.2.2	Council Performance, Service Delivery and Budget Review	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to

		prejudice the interests of the council or some other person.
18.2.3	Council Performance, Service Delivery and Budget Review	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.
18.2.4	Council Performance, Service Delivery and Budget Review	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.
18.2.5	Council Project Initiative	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.
18.2.6	Council Performance, Service Delivery and Budget Review	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(i) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

## 9 OFFICER REPORTS



### **COMMITTEE REPORT**

#### Committee Meeting

Agenda Item:	9.2.1
Report Title:	Action Report
Meeting Date:	Tuesday 25 February 2025
Author:	Executive Manager Organisational Performance, Penny Hart
Approver:	General Manager Finance and Governance, Wati Kerta

### Community plan

Governance: Council is trusted by the community and invests in things that the public value.

### Purpose

This report updates the Risk Management and Audit Committee on the progress of outstanding open actions on the register.

### Key messages

- Governance maintains a register of decisions from the Risk Management and Audit Committee (RMAC).
- Updates are provided at each committee meeting to ensure that RMAC has oversight over progress of actions.
- There is currently one action on the open Action Report for review.

### Recommendation

- 1. THAT Report entitled Action Report be received and noted.
- 2. THAT *Risk Management and Audit Committee Meeting Schedule 2025 RMA10/163* be removed from the next Action Report as Council endorsed the schedule and work plan at the 1st Ordinary Council Meeting on 5 November 2024.

### **Background**

At each meeting, the committee receives an update on actions that remain on the decision register for RMAC.

At the 29 October 2024 meeting, RMAC recommended to Council that Council Policy Review – Asset Management – RMA10/151 be removed from the next Action Report as Council endorsed the policy in September 2024.

#### Discussion

The table below contains the open decisions/actions that RMAC has requested be resolved or further information provided.

TOPIC	DECISION #	DATE
Risk Management and Audit Committee Meeting Schedule 2025	RMA10/163	29/10/2024
Decision	2. THAT the Risk Managreecommend to the Council: a. THAT the Risk Managemer adopts the proposed 2025 Cobeing: i. Tuesday 25 February 2025 li. Tuesday 27 May 2025 lii. Tuesday 29 July 2025 lv. Thursday 23 October 202 b. THAT the Risk Managemer adopts the proposed Work Pland on the Report entit Audit Committee Meeting Schelen Committee Meeting Schelen Schele	5 nt and Audit Committee lan at Attachment 9.1.1.1 led Risk Management and thedule 2025 that aligns with
Comments	Council endorsed the RMAC schedule and work plan for 20 Council Meeting of 5 November 1	025 at its 1 <sup>st</sup> Ordinary

There are no further actions outstanding on the open Action Report.

### Consultation and marketing

The following City of Palmerston staff were consulted in preparing this Report:

Governance Lead

### Policy implications

This Report relates to:

Risk Management and Audit Committee Terms of Reference

### Budget and resource implications

There are no budget or resource implications relating to this Report.

### Risk, legal and legislative implications

This Report addresses the following Risk Management and Audit Committee Terms of Reference:

Risk Management and Internal Controls

This Report addresses the following City of Palmerston Strategic Risks:

#### 6. Governance

Failure to effectively govern.

### Strategies, framework and plans implications

This Report relates to the following City of Palmerston Strategies, Framework and Plans:

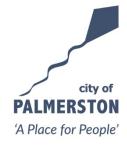
• Long Term Financial Plan

### Council officer conflict of interest declaration

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

#### **Attachments**

Nil



### **COMMITTEE REPORT**

Committee Meeting

Agenda Item:	9.2.2
Report Title:	Recruitment of Independent Chairperson
Meeting Date:	Tuesday 25 February 2025
Author:	Governance Lead, Angie Torr
Approver:	General Manager Finance and Governance, Wati Kerta

### Community plan

Governance: Council is trusted by the community and invests in things that the public value.

### Purpose

This Report provides the Risk Management and Audit Committee with an update on the Independent Chairperson's term of appointment and the process for recruitment of the next term.

### Key messages

- The Risk Management and Audit Committee Terms of Reference, endorsed by Council, provide that the Chairperson position is an Independent Member appointed by Council.
- The current Chairperson's two-year appointment expires on 1 June 2025. Independent Members can be appointed for a total period of up to four years.
- The Terms of Reference do not prevent the current Chairperson from reapplying for the position and being appointed another term.
- To ensure a smooth transition between terms, advertising and recruitment will commence as soon as possible.
- Council has nominated three Elected Members to form the Chairperson selection panel.

### Recommendation

THAT Report entitled Recruitment of Independent Chairperson be received and noted.

### Background

Section 86 of the *Local Government Act 2019 (NT)* (the Act) requires Council to establish an audit committee that oversees Council's governance, risk management and compliance.

The composition of the Risk Management and Audit Committee (RMAC) is guided by the Act and Terms of Reference (TOR) which requires the Chairperson to be independent of Council and Council staff. RMAC must consist of at least four members, with at least two being Independent Members. All members of RMAC must be appointed by Council resolution.

Independent Chairperson Ms Clare Milikins was initially appointed on 1 June 2021 for a period of two years ending on 1 June 2023. Ms Milikins was reappointed for a further two years, commencing 2 June 2023 and expiring 1 June 2025. As a result, the maximum four-year appointment term as per the Terms of Reference for the RMAC has now ended.

At the 2<sup>nd</sup> Ordinary Council Meeting of 4 February 2025, Council made the following decisions:

#### 13.1.2 Risk Management and Audit Committee Chairperson Report

THAT Council endorse the following three Elected Members to form the Risk Management and Audit Committee Chairperson selection panel:

- a. Chair- Mayor Athina Pascoe-Bell
- b. Member- Councillor Garden
- c. Member- Councillor Henderson

CARRIED 10/1731 - 04/02/2025

### Discussion

Council undertakes a comprehensive and public recruitment process to attract independent members to RMAC, ensuring the inclusion of highly skilled professionals with relevant experience. The process involves advertising vacancies widely to reach a diverse pool of qualified candidates. Applicants are assessed based on their board and committee membership experience, responses to key questions, and alignment with RMAC's Terms of Reference.

When a committee position approaches the end of its term or becomes vacant, Council are required to recruit a replacement committee member. A selection panel (panel) is nominated from Council. The panel is required to short list applicants for the purpose of conducting interviews. Once the interviews are complete, the panel will make a selection recommendation to Council.

An Expression of Interest for the Chairperson position will be placed on the City of Palmerston Career Opportunities webpage and LinkedIn, as well as an advertisement in the NT News. Advertising is anticipated to commence in late February and run for a four-week period.

Due to the position being a significant role, it is recommended that recruitment commence as soon as possible to allow sufficient time to attract suitable applicants and to allow for a smooth transition between Chairpersons. The Terms of Reference doesn't exclude the current Chairperson from reapplying.

The process and recruitment timeframe will be as follows, the table below highlights key actions and the proposed timeline.

ACTION	KEY DATES
Council Meeting – Selection Panel nominated	4 February
Advertisement commences	Week Commencing 17 February
Advertisement closes	Week Commencing 17 March
Selection Panel meets to discuss applications (prior/post Council Meeting)	Week Beginning 31 March
Interviews held	Week Beginning 14 April
Selection Panel meets to discuss preferred applicant (if required)	Week Beginning 21 April
Preferred Applicant endorsed by Council	6 May

On behalf of Council, the Chief Executive Officer had written to the current Chairperson to thank her for her term.

### Consultation and marketing

Marketing and Communications and People and Place teams were consulted to ensure that the process and the timeframes for the recruitment process are reasonable.

### Policy implications

The Risk Management and Audit Committee are responsible for delivering the principles and key roles as set out in the Terms of Reference including:

- Risk Management and Internal Controls
- Internal and External Audit Plan
- Review of Annual Report
- Review of Committee's Annual Performance

### Budget and resource implications

Council renumerates the Independent Chairperson of the Committee in accordance with the remuneration schedule set out by the Northern Territory Government for a Class C1 Advisory and Review Board.

### Risk, legal and legislative implications

The appointment of the Independent Chairperson and the composition of the Risk Management and Audit Committee is guided by section 86 of the *Local Government Act* 2019 (NT).

This Report addresses the following Risk Management and Audit Committee Terms of Reference:

- Risk Management and Internal Controls
- Internal and External Audit

This Report addresses the following City of Palmerston Strategic Risks:

#### 6. Governance

Failure to effectively govern.

### Strategies, framework and plans implications

This Report relates to the following City of Palmerston Strategies, Framework and Plans:

• Long Term Financial Plan

### Council officer conflict of interest declaration

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

### **Attachments**

Nil

### 10 INFORMATION AND CORRESPONDENCE

10.1 Information

10.2 Correspondence

### 11 GENERAL BUSINESS

### 12 NEXT COMMITTEE MEETING

THAT the next Risk Management and Audit Committee Meeting be held on Tuesday, 27 May 2025 at 5:00pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

### 13 CLOSURE OF MEETING TO PUBLIC

THAT pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(a) of the Local Government (General) Regulations 2021 the meeting be closed to the public to consider the Confidential items of the Agenda.



### **MINUTES**

# Risk Management and Audit Committee Tuesday 29 October 2024

The Committee Meeting of the City of Palmerston held in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston, NT 0830.

Committee business papers can be viewed on the City of Palmerston website http://www.palmerston.nt.gov.au

'A Place for People'



#### **PRESENT**

COMMITTEE MEMBERS Clare Milikins, Independent Member (Chair)

Craig Kirby, Independent Member (Via

Audio/Audiovisual)

David Ray, Independent Member Mayor Athina Pascoe-Bell Councillor Amber Garden Councillor Sarah Henderson

STAFF Chief Executive Officer, Amelia Vellar

General Manager Infrastructure, Nadine Nilon General Manager Finance and Governance, Wati

Kerta

General Manager Community, Konrad Seidl Acting General Manager People and Place, Emma

Blight

Finance Manager, Jeffrey Guilas Governance Lead, Angie Torr Minute Secretary, Emily Dehne

GALLERY

Initials:

MINUTES RISK MANAGEMENT AND AUDIT COMMITTEE MEETING - 29 OCTOBER 2024



#### A Place for People

#### 1 ACKNOWLEDGEMENT OF COUNTRY

City of Palmerston acknowledges the Larrakia people as the Traditional Custodians of the Palmerston region. We pay our respects to the Elders past, present and future leaders and extend that respect to all Aboriginal and Torres Strait Islander people.

#### 2 OPENING OF MEETING

The Chair declared the meeting open at 5:18pm.

#### 3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Nil

3.2 Leave of Absence Previously Granted

Nil

#### 4 AUDIO/AUDIOVISUAL CONFERENCING GRANTED

THAT it be noted the Committee note Craig Kirby is attending via Audio/Audiovisual Conferencing who will be physically prevented from attending a meeting due to being a distance greater than 100km from the appointed place of meeting and approval has been granted by the Chief Executive Officer in accordance with the City of Palmerston Audio/Audiovisual Policy.

#### 5 DECLARATION OF INTEREST

5.1 Committee Members

Nil

5.2 Staff

Nil

#### 6 CONFIRMATION OF MINUTES

#### 6.1 Confirmation of Minutes

Moved: Councillor Garden
Seconded: Councillor Henderson

THAT the Minutes of the Risk Management and Audit Committee Meeting held on 27 August 2024 pages 279 to 284 be confirmed.

CARRIED (6/0) - RMA10/161 - 29/10/2024

Initials

MINUTES RISK MANAGEMENT AND AUDIT COMMITTEE MEETING - 29 OCTOBER 2024



#### A Place for People

6.2 Business Arising from Previous Meeting

Nil

7 DEPUTATIONS AND PRESENTATIONS

Nil

8 CONFIDENTIAL ITEMS

8.1 Moving Confidential Items into Open

Nil

8.2 Moving Open Items into Confidential

Nil

8.3 Confidential Items

Moved: Councillor Garden Seconded: David Ray

THAT pursuant to Section 99(2) and 293(1) of the *Local Government Act 2019* and section 51(1) of the *Local Government (General) Regulations 2021* the meeting be closed to the public to consider the following confidential items:

Item	Confidential	Confidential Clause
	Category	
18.1.1	Council Performance, Service Delivery and Budget Review	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(i) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.
18.1.2	Council Performance, Service Delivery and Budget Review	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.

Initials:



#### A Place for People

	1	
18.1.3	Council Performance, Service Delivery and Budget Review	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.
18.2.1	Council Performance, Service Delivery and Budget Review	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(i) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.
18.2.2	Council Performance, Service Delivery and Budget Review	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(i) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.
18.2.3	Council Performance, Service Delivery and Budget Review	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(i) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.
18.2.4	Council Performance, Service Delivery and Budget Review	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iii) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff.
18.2.5	Council Project Initiative	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(i) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

Initials

MINUTES RISK MANAGEMENT AND AUDIT COMMITTEE MEETING - 29 OCTOBER 2024



#### A Place for People

	1	
18.2.6	Council Project Initiative	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(e) of the Local Government (General) Regulations 2021, which states a council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest.
18.2.7	Contract and	This item is considered 'Confidential' pursuant to section
	Tender Assessment	99(2) and 293(1) of the Local Government Act 2019 and
	and Award	section 51(1)(c)(i) of the Local Government (General)
		Regulations 2021, which states a council may close to the
		public only so much of its meeting as comprises the receipt
		or discussion of, or a motion or both relating to,
		information that would, if publicly disclosed, be likely to
		cause commercial prejudice to, or confer an unfair
		commercial advantage on, any person.

CARRIED (6/0) - RMA10/162 - 29/10/2024

#### 9 OFFICER REPORTS

#### 9.1 Action Reports

9.1.1 Risk Management and Audit Committee Meeting Schedule 2025

Moved: Councillor Garden Seconded: Mayor Pascoe-Bell

- THAT Report entitled Risk Management and Audit Committee Meeting Schedule 2025 be received and noted.
- 2. THAT the Risk Management and Audit Committee recommend to the Council:
  - a. THAT the Risk Management and Audit Committee adopts the proposed 2025 Committee Meeting schedule being:
    - i. Tuesday 25 February 2025
    - ii. Tuesday 27 May 2025
    - iii. Tuesday 29 July 2025
    - iv. Thursday 23 October 2025
  - b. THAT the Risk Management and Audit Committee adopts the proposed Work Plan at **Attachment 9.1.1.1** contained in the Report entitled Risk Management and Audit Committee Meeting Schedule 2025 that aligns with the Committee Meeting schedule.

CARRIED (6/0) - RMA10/163 - 29/10/2024

Initials:

MINUTES RISK MANAGEMENT AND AUDIT COMMITTEE MEETING - 29 OCTOBER 2024

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#### A Place for People

#### 9.1.2 Action Report

Moved: David Ray

Seconded: Mayor Pascoe-Bell

- 1. THAT Report entitled Action Report be received and noted.
- THAT the Council Policy Review Asset Management RMA10/151 be removed from the next Action Report as Council has endorsed this policy at the 17 September 2024 Council Meeting.

CARRIED (6/0) - RMA10/164 - 29/10/2024

9.2 Receive and Note Reports

Nil

#### 10 INFORMATION AND CORRESPONDENCE

10.1 Information

Nil

10.2 Correspondence

Nil

11 GENERAL BUSINESS

Nil

#### 12 NEXT COMMITTEE MEETING

Moved: Councillor Garden
Seconded: Mayor Pascoe-Bell

THAT the next Risk Management and Audit Committee Meeting be held on Tuesday, 25 February 2025 at 5:00pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

CARRIED (6/0) - RMA10/165 - 29/10/2024

#### 13 CLOSURE OF MEETING TO PUBLIC

Moved: Mayor Pascoe-Bell Seconded: Councillor Henderson

THAT pursuant to section 99(2) and 293(3)(1) of the Local Government Act 2019 and section 51(1)(a) of the Local Government (General) Regulations 2021 the meeting be closed to the public to consider the Confidential items of the Agenda.

CARRIED (6/0) - RMA10/166 - 29/10/2024

Initials:

MINUTES RISK MANAGEMENT AND AUDIT COMMITTEE MEETING - 29 OCTOBER 2024

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The open section of the meeting closed at 5:25pm for the discussion of confidential matters. The Chair declared the meeting closed at 6:52pm. Chair Print Name Date

Initials:

MINUTES RISK MANAGEMENT AND AUDIT COMMITTEE MEETING - 29 OCTOBER 2024