

**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY****WRITTEN QUESTION**

Mr Higgins to the Minister for Tourism, Sport and Culture and for all portfolios under the Minister's responsibility

**AGENCY ADMINISTRATION****Note 1:**

The following questions **do not require reference to the 2019-2020 Budget** to be answered. They can be answered from existing Agency data.

**Note 2:**

If there is to be a Whole of Government response to any of the questions, it would be appreciated that these are referred early to the Minister responsible to enable a response within the same timeframe as the remainder of the questions.

**BUDGET**

1. What efficiency dividend, budget improvement or savings measures has each Agency been asked to achieve in framing the 2019/20 Budget? When was this direction given and what specific instructions were provided to achieve this result?

**STAFFING**

2. Please provide details for the following staffing questions as at 30 June 2018, 31 December 2018 and as at 31 March 2019:
  - a) How many staff were employed in the following categories:
    - i. Full time equivalent
    - ii. Permanent part time contract
    - iii. Contract
  - b) Please advise the number of staff identified as Aboriginal and Torres Strait Islander in terms of FTE and as a percentage of the Agency total employment (all classifications).
  - c) Please advise the number of frontline staff as FTE and as a percentage of the Agency total employment (all classifications).
3. What is the variance in FTE from 1 July 2018 to 31 December 2018 and from 1 July 2018 to 31 March 2019?
4. Please advise, in each category:
  - a) The total number of staff on contracts (by executive and temporary employment contracts) as at 30 June 2018 and for the period from 1 July

- 2018 to 31 December 2018 and for the period from 1 July 2018 to 31 March 2019
- b) By position, the levels at which staff are employed on executive or temporary employment contracts as at 30 June 2018 and for the period from 1 July 2018 to 31 December 2018 and for the period from 1 July 2018 to 31 March 2019
  - c) By position, when each current contract is due to be renewed
5. For the full financial year ending 30 June 2018 and for the period from 1 July 2018 to 31 December 2018 and for the period from 1 July 2018 to 31 March 2019 how many staff:
    - a) Resigned
    - b) Were demoted as a result of job evaluation or re-evaluation
    - c) Were made redundant
    - d) Were terminated
  6. How many staff were unattached or categorized as redeployees for the full financial year ending 30 June 2018 and for the period from 1 July 2018 to 31 December 2018 and for the period from 1 July 2018 to 31 March 2019?
  7. How many staff were categorized as supernumerary for the full financial year ending 30 June 2018 and for the period from 1 July 2018 to 31 December 2018 and for the period from 1 July 2018 to 31 March 2019?
  8. How many staff have been engaged through employment agency arrangements, for what purpose, for what duration and at what cost for the full financial year ending 30 June 2018 and for the period from 1 July 2018 to 31 December 2018 and from 1 July 2018 to 31 March 2018?
  9. How many locums have been employed, for what purpose, what duration and at what cost for the full financial year ending 30 June 2018 and for the period from 1 July 2018 to 31 December 2018 and from 1 July 2018 to 31 March 2019?
  10. How many positions had Special Measures applied when advertised for the full financial year ending 30 June 2018 and for the period from 1 July 2018 to 31 December 2018 and from 1 July 2018 to 31 March 2019?
  11. How many positions that had Special Measures applied, as referred to in the question above, had to be re-advertised due to the initial process not securing suitable candidates?
  12. Please advise the number of staff who identify as Aboriginal and Torres Strait Islander as at 30 June 2018 and the increase in staff who identify as Aboriginal and Torres Strait Islander since 1 July 2018 as at 31 December 2018 and as at 31 March 2019.
  13. How many grievances have arisen as a direct result of the Special Measures program since 1 July 2018. Of these, how many remain unresolved?

## **OUTSOURCING**

14. For the period beginning 1 July 2018 and ending 31 December 2018 and for the period beginning 1 July 2018 and ending 31 March 2019, detail any decision(s) to outsource, contract out or privatise functions that have traditionally been carried out by the Agency. Is consideration being given to outsource, contract-out or privatise in financial year 2019/20? If so, provide details.

## **LEGAL EXPENSES**

15. What has been the expenditure on legal advice or related expenses for the financial year 2018/19? Provide details on:
- a) The matter(s) (designate which ones are finalised and which ones are ongoing)
  - b) The amount paid by matter
  - c) The amount paid to each outside legal firm or barrister engaged

## **PROCUREMENT / CONSULTANCIES**

16. For the period beginning 1 July 2018 and ending 31 December 2018 and for the period beginning 1 July 2018 and ending 31 March 2019, please detail expenditure on each report and consultancy (excluding annual reports) that has been obtained from outside the NTPS. For each report/consultancy detail:
- a) Purpose
  - b) Cost
  - c) Person or entity engaged
  - d) Whether the person or entity has their principal place of business in the Northern Territory or elsewhere (if elsewhere, please provide the address of the principal place of business of the person or entity)
  - e) Whether a report has been tabled in the Legislative Assembly as a result of the report or consultancy
  - f) Outcomes or key performance indicators for the report or consultancy
  - g) Whether tenders or expressions of interest were invited prior to work on the report or consultancy being undertaken
17. Please detail expenditure paid, or expected to be paid, to Hawker Britton and/or associated entities for the period beginning 1 July 2018 and ending 31 December 2018 and for the period beginning 1 July 2018 and ending March 2019. Outline the tasks performed.
18. How many contracts and tenders have been awarded to business entities with their principal place of business in the Northern Territory so far, and what works have been undertaken?
19. How many contracts have been awarded to business entities with a principal place of business outside the Northern Territory for the period beginning 1 July 2018 and ending 31 December 2018 and for the period beginning 1 July 2018 and ending 31 March 2019? Detail the work being undertaken by each business entity and the selection criteria for the successful business entity on the applicable contract or tender.

20. For Tier 3, Tier 4 and Tier 5 procurement activities, how many public quotations were undertaken during the period beginning 1 July 2018 and ending 31 December 2018 and during the period beginning 1 July 2018 and ending 31 March 2019?
21. For Tier 3, Tier 4 and Tier 5 procurement activities, how many contracts or tenders were awarded without undertaking a public quotation process during the period beginning 1 July 2018 and ending 31 December 2018 and during the period beginning 1 July 2018 and ending 31 March 2019?
22. For each instance identified in the question above, where a public quotation process was not undertaken, including for Certificates of Exemption:
- a) What is the description of the goods and services contracted?
  - b) What is the value of the goods and services contracted?
  - c) What was the reason for not using the public quotation process or for requiring a Certificate of Exemption?
  - d) Who recommended the course of action in c) above?
  - e) Who approved the course of action in c) above?
23. Please advise the total number of NTG Corporate Credit Cards within the Agency, including the position titles and levels of the staff holding the corporate credit cards for the purchase of goods and/or services as at 31 March 2019.

## **FOCUS GROUPS / POLLING / SURVEYS**

24. Please detail expenditure during the period beginning 1 July 2018 and ending 31 March 2019 on opinion polls and focus groups, including costs and entities that conducted the work.
25. Please provide copies of the surveys identified in the question above and detail all surveys undertaken, their form, the cost and what inducements were provided to incentivise participation during the period beginning 1 July 2018 and ending 31 March 2019.

## **COMMUNICATIONS AND MARKETING**

26. Please detail expenditure on advertising and communications during the period beginning 1 July 2018 and ending 31 March 2018.
- For each advertisement for which an expense was incurred:
- a) What was the purpose / description of the advertisement?
  - b) Who was the advertisement placed with, i.e. media outlet, newspaper, television station or similar?
  - c) What was the total production cost, including, but not limited to, design, commissions, placement costs?
  - d) Were tenders or expressions of interest called? If not, why not?

## **TRAVEL**

27. Please provide the total expenditure and itemised details of travel, including, but not limited to travel-related costs such as accommodation, travel allowance, entertainment, car rental, meals and incidentals, in each Agency and authority for the period beginning 1 July 2018 and ending 31 March 2019 broken down to:
- a) International travel
  - b) Interstate travel
  - c) Intrastate travel
28. In the case of international travel identified in response to the question above, please provide the purpose, itinerary, persons and costs involved in each trip.
29. Please provide itemised details and itemisation of costs of all travel undertaken by the Minister that was paid for by the Agency or authority, including travel on charters during the period beginning 1 July 2018 and ending 31 March 2019.

## **HOSPITALITY / FUNCTIONS AND EVENTS**

30. Please provide full details of all public service hospitality provided for the period beginning 1 July 2018 and ending 31 March 2019.
- In relation to each occasion on which official hospitality was undertaken:
- a) What was the purpose of the hospitality?
  - b) How many guests attended?
  - c) How many Ministers attended?
  - d) How many Ministerial staff attended?
  - e) How many MLAs attended?
  - f) How many Public Sector employees attended?
  - g) What was the total cost incurred?

## **GRANTS AND DONATIONS**

31. Please detail expenditure on grants and donations paid by your Agency (including the recipient of each grant) during the period beginning 1 July 2018 and ending 31 December 2018 and during the period beginning 1 July 2018 and ending 31 March 2019.
32. Please detail the funds utilised to distribute awards and sponsorships in the period beginning 1 July 2018 and ending 31 December 2018 and in the period beginning 1 July 2018 and ending 31 March 2019. Indicate which awards and sponsorships were managed by Regional Offices. What is anticipated for the 2019/20 financial year?
33. Please detail the amounts paid on grants to non-Government organisations for the period beginning 1 July 2018 and ending 31 December 2018 and for the period beginning 1 July 2018 and ending 31 March 2019, including to which organisation and the services to be provided?

## **MEDIA MONITORING SERVICES**

34. Provide expenditure details on media monitoring services for the period beginning 1 July 2018 and ending 31 March 2019 (including entities engaged and who utilises the service).

## **INFRASTRUCTURE PROJECTS**

35. What are the details, by project, of re-voted capital works in all Department and Government Authorities for the period beginning 1 July 2018 and ending 31 March 2019?
36. How many projects have been submitted or are in the process of being submitted to Infrastructure Australia to be considered for the Infrastructure Priority List?
37. Please provide details of newly committed projects for the period beginning 1 July 2018 and ending 31 March 2019.
38. Please provide details of contracts awarded to interstate firms, for what purpose, the cost and why a Territory firm was not chosen.

## **GOVERNMENT LEASED BUILDINGS**

39. What is the total annual power bill of each Government building owned/leased/used by each Department for the period beginning 1 July 2018 and ending 31 March 2019?
40. What is the total annual leased space of each Government building used by each Agency/authority and at what cost for the period beginning 1 July 2018 and ending 31 March 2019?
41. How much Government owned or leased premises or office space is currently under-utilised (at less than 100 per cent occupied) or vacant?

## **FEES AND CHARGES**

42. Please detail the statutory or legislative fees and charges levied by your Agency/authority, the revenue raised in the 2018/19 financial year and whether any of these fees and charges was increased following the passage of the 2018/19 financial year budget.

## **INTERNAL AUDITS**

43. How many internal audits and financial investigations were conducted in the period beginning 1 July 2018 and ending 31 March 2019?
44. What were the terms of reference or focus for each investigation?

45. Please provide detail of any fraud, anomalies, breaches of financial legislation or Northern Territory Government policy and procedures exposed by the audits and financial investigations.

## **BOARDS / ADVISORY BODIES**

46. Please detail all boards and advisory bodies in your Agency in 2018/19, also providing the following information:

- a) The Terms of Reference
- b) The current members and when they were appointed
- c) The total remuneration paid to each Board member during the 2018/19 financial year
- d) The itemised total cost incurred by the Board during the 2018/19 financial year
- e) The number of times the Board met during the period beginning 1 July 2018 and ending 31 March 2019

## **REVIEWS AND INQUIRIES**

47. Details of all reviews and inquiries completed or commenced during the 2018/19 financial year, also providing the following information:

- a) The Terms of Reference
- b) The criteria for selection of all panel members
- c) The composition, qualifications and state or territory of residence of the persons undertaking the review/inquiry
- d) The cost of the review/inquiry
- e) How the information was/is accumulated to contribute to the review/inquiry
- f) If completed, when, the outcome and whether the report has been tabled in the Legislative Assembly
- g) If not completed when this is expected

## **WORKPLACE HEALTH AND SAFETY**

48. Please provide the number, nature and cost of reportable safety issues for the period beginning 1 July 2018 and ending 31 March 2019.

49. Please detail the number of stress related matters and claims for the period beginning 1 July 2018 and ending 31 March 2019.

## **REGIONAL OFFICES**

50. Please detail expenditure on staff located in regional offices across the Territory. Include the number of staff, their functions and outcomes achieved in the 2018/19 financial year. What are the locations for which they are responsible?

## Answers

### BUDGET

1. Please refer to the Root and Branch Review of Government Programs:  
[https://treasury.nt.gov.au/\\_data/assets/pdf\\_file/0005/683834/Root-and-branch-review-for-web-new.pdf](https://treasury.nt.gov.au/_data/assets/pdf_file/0005/683834/Root-and-branch-review-for-web-new.pdf)

### STAFFING

- 2(a). The Darwin Waterfront Corporation had staff employed in the following categories as at Pay Period 26 (27 June 2018) and Pay Period 19 (20 March 2019).

DWC – Staff	27 June 2018 (Pay 26)	20 March 2019 (Pay 19)
FTE	7.5 1 – 70% (30% to AARC) 1 – 95% (5% to AARC) 1 – 90% (10% to AARC) <b>Total: 10.45</b>	5 1 - 70% (30% to AARC) 1 - 95% (5% to AARC) 1 - 90% (10% to AARC) 1 - 80% (20% to AARC) <b>Total: 8.35</b>
Permanent Part-Time	-	-
Contract (includes temporary and casual contract)	-	-

- 2(b). A whole-of-government response to Question 2(b) will be provided by the Minister for Public Employment.
- 2(c). The Darwin Waterfront Corporation had no frontline staff as at Pay Period 26 (27 June 2018) and Pay Period 19 (20 March 2019).
3. A whole-of-government response to Question 3 will be provided by the Minister for Public Employment.
- 4(a). A whole-of-government response to Question 4(a) will be provided by the Minister for Public Employment.
- 4(b). Executive or temporary contract staff employed by the Darwin Waterfront Corporation as at Pay Period 26 (27 June 2018) and Pay Period 19 (20 March 2019).

DWC – Classification	27 June 2018 (Pay 26)	20 March 2019 (Pay 19)
ECO2	1	1
SAO1	2	2
AO5/6	4	3
AO4	1	1
AO3	1	1

- 4(c). A whole-of-government response to Question 4(c) will be provided by the Minister for Public Employment.



5. There were no Darwin Waterfront Corporation staff who ceased employment (resigned; redundant; terminated) or were demoted as a result of job evaluation/re-evaluation as at 30 June 2018 and 31 March 2019.
- 6-7. Darwin Waterfront Corporation staff who were unattached, categorised as redeployees or supernumerary as at Pay Period 26 (27 June 2018) and Pay Period 19 (20 March 2019).

<b>DWC – FTE</b>	<b>27 June 2018 (Pay 26)</b>	<b>20 March 2019 (Pay 19)</b>
Unattached	2	2
Redeployee	0	0
Supernumerary	2	2

8. No staff were engaged through an employment agency by the Darwin Waterfront Corporation, for the full financial year ending 30 June 2018; or for the period 1 July 2018 to 31 March 2019.
9. No locums were employed by the Darwin Waterfront Corporation, for the full financial year ending 30 June 2018; or for the period 1 July 2018 to 31 March 2019.
- 10-11. The Darwin Waterfront Corporation did not apply Special Measures across any positions, for the full financial year ending 30 June 2018; and for the period 1 July 2018 to 31 March 2019.
12. No staff in the Darwin Waterfront Corporation identified as Aboriginal and Torres Islander as at Pay Period 26 (27 June 2018) and Pay Period 19 (20 March 2019).
13. A whole-of-government response to Question 13 will be provided by the Minister for Public Employment.

## **OUTSOURCING**

14. There has been no change to functions carried out by the Darwin Waterfront Corporation between 1 July 2018 and 31 March 2019, and there is no consideration being given to outsourcing, contracting-out or privatising functions traditionally carried out by the Corporation in the 2019-20 financial year.

## **LEGAL EXPENSES**

- 15(a)-(b). The Darwin Waterfront Corporation's expenditure on legal advice and related expenses for the Corporation for the period 2018-19 (to 31 March 2019) of \$110 975.

- 15(c). Legal expenses paid to each outside legal firm or barrister engaged for the financial year 2018-19 (as at 31 March 2019) for the Darwin Waterfront Corporation consisted of:

Name of Vendor	Type	2018-19 (as at 31/3/19)
King Wood Mallesons	Legal advice	\$87386 (ongoing)
Clayton Utz	Legal drafting	\$20984 (ongoing)
Ward Keller	Licensee and land title search	\$2605

## PROCUREMENT / CONSULTANCIES

16. Expenditure on reports/consultancies (excluding annual reports) obtained outside the NTPS between 1 July 2018 to 31 March 2019 for the Darwin Waterfront Corporation consisted of:

Vendors Name	Principal Business Address	Tabled in LA Yes/No	Purpose/ Outcomes	Tender or EOI invited Yes/No	Payments as at (31/3/19) \$
Aecom Services Pty Ltd	NT (LOCAL)	n/a	Recreation Lagoon Water Quality - Monthly Water Testing for the Recreation Lagoon	n/a	4 491
O'Neill Nominees Pty Ltd	NT (LOCAL)	n/a	Professional Fees - Consultant work for DWC	n/a	3400
Herron Todd White	NT (LOCAL)	n/a	Valuations	n/a	30 000
Earl James & Associates	NT (LOCAL)	n/a	Lease & Licence surveys	n/a	4 890
Hatamoto Holdings	Neutral Bay, NSW	n/a	Resilience Framework Project	n/a	4 796
Earl James & Associates	NT (LOCAL)	n/a	Lease survey	n/a	920

17. The Darwin Waterfront Corporation made no payments to Hawker Britton and/or associated entities for the period beginning 1 July 2018 and ending 31 March 2019, and is not expected to make any payments.

- 18-19. A whole-of-government response to Questions 18 and 19 will be provided by the Minister for Trade, Business and Innovation.

20. The following details are provided for the Darwin Waterfront Corporation regarding public quotations undertaken for Tier 3, 4 and 5 procurement activities for the period 1 July 2018 to 31 March 2019:
- There was one Tier 3 procurement activity undertaken as public quotations during this period.
21. The following details are provided for the Darwin Waterfront Corporation regarding contracts and tenders for Tier 3, 4 and 5 procurement activities awarded without a public quotation process for the period 1 July 2018 to 31 March 2019:
- There was one Tier 3 procurement activity awarded without undertaking a public quotation process during this period.
- 22(a)-(e). For each identified instance where a public quotation process was not undertaken by the Darwin Waterfront Corporation, including for certificates of exemption:

DWC - Tier	Description	Value Awarded \$	Reason
Tier 3	Supply and installation of demountables	\$132 170	Quotes were sought from multiple suppliers, however no formal public quotation process was undertaken.

23. As at 31 March 2019, the Darwin Waterfront Corporation had 1 Corporate Credit Cards for an AO5, Business Support Officer.

### FOCUS GROUPS / POLLING / SURVEYS

- 24-25. There were no opinion polls, focus groups or surveys for the Darwin Waterfront Corporation for the period 1 July 2018 to 31 March 2019.

### COMMUNICATIONS AND MARKETING

- 26(a)-(d). The Darwin Waterfront Corporation had the following advertising, marketing and communications for the period beginning 1 July 2018 to 31 March 2019:

Advertisement/media outlet	Cost to DWC	Production cost	Purpose / description
Territory Taste - 6 issues (August 2018 to January 2019)	\$8 400	-	To advertise the Darwin Waterfront's program of events in a monthly event guide in the Dry.
Off the Leash - 12 month subscription	\$5 500	-	To advertise the Darwin Waterfront's program of events in a monthly event guide

<b>Advertisement/media outlet</b>	<b>Cost to DWC</b>	<b>Production cost</b>	<b>Purpose / description</b>
Resident Magazine - 2 issues (Wet Season 2018 / Dry Season 2019)	\$3 937	-	To promote the Darwin Waterfront as an events and lifestyle precinct
Top End Holiday Guide (Tourism Top End)	\$468	-	To advise visitors and locals of the Wave Lagoon facility
Jorbens Luxury Hotel Guide	\$1 636	-	To advertise the Wave Lagoon and Stokes Hill Wharf to visitors in hotel compendiums
The Scoop (17 episodes)	\$4 080	-	To advertise the Darwin Waterfront's program of events
Destination Darwin (Tourism Top End)	\$2 863	-	To advertise the Darwin Waterfront Precinct and Wave Lagoon through Tourism Top End
Mix 104.9 (Darwin Waterfront Membership Campaign)	\$1 710	\$80	To promote the Darwin Waterfront Membership and Wave Lagoon Annual Pass
NT News - school holiday feature	\$700	-	To promote school holiday activities to local families
White Pages & Yellow Pages	\$5 115	-	To ensure the Darwin Waterfront and Wave Lagoon contacts are listed online and in the directory
Facebook advertising	\$834	-	To promote Darwin Waterfront's program of events to the local Darwin community
Channel 10 (Darwin Digital Television)	\$900	\$621	To inform locals of the Darwin's biggest free community event for New Year's Eve.
Channel 7 (Southern Cross)	\$1350	\$621	
Channel 9 (Territory Television)	\$1350	\$621	
Mix 104.9	\$3915	\$61	
NT News feature	\$493		
Facebook	\$122		
Channel 10 (Darwin Digital Television)	\$450.00	\$1265	To inform locals of Easter Saturday Celebrations at the Darwin Waterfront.
Channel 7 (Southern Cross)	\$455.73	\$1265	
Channel 9 (Territory Television)	\$450.00	\$1265	
NT News feature	\$327.27	-	
Facebook	\$114.55		

## TRAVEL

27. As at 31 March 2019, the Darwin Waterfront Corporation incurred \$22 865 in travel costs for 2018-19 as follows:

<b>DWC – Public Service Travel Destination</b>	<b>2018-19 (as at 31/3/19) \$</b>
International	-
Interstate	22 865
Intrastate	-
<b>Total</b>	<b>22 865</b>

28. During the period 1 July 2018 to 31 March 2019, the Darwin Waterfront Corporation did not undertake any international trips.
29. The Darwin Waterfront Corporation did not pay for any travel undertaken for the Minister for the period 1 July 2018 to 31 March 2019.

## HOSPITALITY / FUNCTIONS AND EVENTS

30. The Darwin Waterfront Corporation did not provide any public service hospitality for the period beginning 1 July 2018 and ending 31 March 2019.

## GRANTS AND DONATIONS

31. Due to the nature of the Darwin Waterfront Corporation's activities, the administrative burden to provide a detailed answer to this question has been determined to be excessive. As such, the Corporation has provided a high-level response to total grants paid in 2018-19 (1 July 2018 to 31 March 2019) of \$8.72 million.
32. The Darwin Waterfront Corporation did not provide any direct funds as donations, grants, awards or sponsorship to third parties. Instead, the Corporation provided in-kind support for events which included the engagement and procurement of services and infrastructure to assist with third-party event delivery.

The Darwin Waterfront Corporation anticipates sponsorship of the Darwin International Film Festival in 2019/20. The Corporation's sponsorship contribution for this event is \$20 000 (inclusive of GST).

33. The Darwin Waterfront Corporation has provided the following grants to non-Government organisations for the period beginning 1 July 2018 and ending 31 December 2018 and for the period beginning 1 July 2018 and ending 31 March 2019:

<b>DWC – Vendor/Customer Name</b>	<b>2018-19 (as at 31/3/19) \$</b>
Darwin Convention Centre	\$8 721 000

### **MEDIA MONITORING SERVICES**

34. The cost for Whole of Government media monitoring is paid by the Department of the Chief Minister.

### **INFRASTRUCTURE PROJECTS**

35. A whole-of-government response to Question 35 will be provided by the Minister for Infrastructure, Planning and Logistics.
36. A whole-of-government response to Question 36 will be provided by the Minister for Trade, Business and Innovation.
- 37-38. A whole-of-government response to Questions 37 and 38 will be provided by the Minister for Infrastructure, Planning and Logistics.

### **GOVERNMENT LEASED BUILDINGS**

39. Power costs for the Darwin Waterfront Corporation from 1 July 2018 to 31 March 2019 totaled \$5131.
- 40-41. A whole-of-government response to Questions 40 and 41 will be provided by the Minister for Corporate and Information Services.

### **FEEES AND CHARGES**

42. Total goods and services revenue, including statutory/legislative fees and charges for the Darwin Waterfront Corporation for the period 1 July 2018 to 31 March 2019, was \$848 000, for the 2018-19 rates. These rates have not increased following the passage of the 2018-19 financial year budget.

### **INTERNAL AUDITS**

- 43-45. The Darwin Waterfront Corporation did not undertake any internal audits or financial investigations in the period beginning 1 July 2018 and ending 31 March 2019.

## BOARDS / ADVISORY BODIES

46(a)-(e). The Darwin Waterfront Corporation's Boards and Advisory Bodies for the 2018-19 financial year (as at 31 March 2019) are as follows:

DWC – Board/ Advisory Bodies	Current Members and date of appointment	Terms of Reference	Total Cost incurred (1/7/18 to 31/3/19)	Number of times met (1/7/18 to 31/3/19)	Statutory Body (Yes/No)
Darwin Waterfront Corporation Board	Andrew Kirkman (30/3/17) Anne Tan (30/3/17) Alastair Shields (30/3/17) Tracey Hayes (Chair)(1/7/18) Kelvin Costello (1/7/18) Jacqueline Jennings (1/7/18) Charles Burkitt (1/7/18)	Charter (Attachment 1)	\$14 579	4	YES

## REVIEWS AND INQUIRIES

47(a)-(g). The Darwin Waterfront Corporation, did not conduct any reviews or inquiries during the period 1 July 2018 to 31 March 2019.

## WORK HEALTH AND SAFETY

48. The Darwin Waterfront Corporation had one reportable safety issue (Body Stressing) at a cost of \$250 for the period 1 July 2018 to 31 March 2019.

49. The Darwin Waterfront Corporation did not have any stress related matters or claims for the period beginning 1 July 2018 and ending 31 March 2019.

## REGIONAL OFFICES

50. The Darwin Waterfront Corporation did not have any staff located regional offices across the Territory for the 2018-19 financial year.



DARWIN WATERFRONT  
CORPORATION

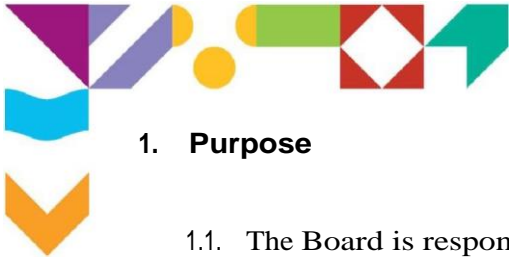
# Board Member Charter

Pursuant to *Darwin Waterfront Corporation Act*

Darwin Waterfront Corporation (**Corporation**)







## 1. Purpose


- 1.1. The Board is responsible for ensuring the overall performance and good governance of the Darwin Waterfront Corporation (**Corporation**). The Board's specific functions and responsibilities include considering and approving strategic direction, establishing key objectives and performance measures and monitoring the performance of the Corporation.
- 1.2. The Board has adopted this Charter to outline the manner in which its powers and responsibilities - including those under the Darwin Waterfront Act (NT) (**Act**) and Corporations Act 2001 (Cth) (**the Corporations Act**) - **will** be exercised and discharged.
- 1.3. The Board is committed to, and expects the highest standards of, corporate governance and strict compliance with the law from all members, senior management and employees of the Corporation.
- 1.4. The provisions of the Act prevail over any inconsistency with this Charter.

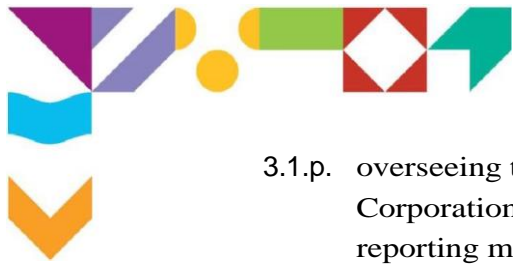
## 2. Role of the Board

- 2.1. The Board is responsible to the Minister, as defined by the Act, for the performance of the Corporation.
- 2.2. In exercising its functions and powers as set out in this Charter, the Board **will** at all times recognise its overriding responsibility to:
  - 2.2.a. maintain and encourage good corporate governance standards;
  - 2.2.b. act honestly, fairly and diligently;
  - 2.2.c. act **in** accordance with laws and regulations;
  - 2.2.d. avoid or manage conflicts of interest;
  - 2.2.e. promote the Corporation as a good corporate citizen; and
  - 2.2.f. achieve and maintain community respect.

## 3. Key Responsibilities

- 3.1. The Members of the Board's functions and responsibilities include:
  - 3.1.a. reviewing and approving corporate strategies, the annual budget and financial plans;
  - 3.1.b. overseeing and monitoring organisational performance and the achievement of the Corporation's strategic goals and objectives, particularly those defined by the Act;

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- 3.1.c. ensuring compliance with the Act and more broadly with the principles and objectives of a statutory corporation, including reviewing and overseeing systems of risk management and internal control, and regulatory compliance;
  - 3.1.d. facilitating development and construction consistent with project delivery deeds and other contractual arrangements;
  - 3.1.e. considering management proposals, including material capital expenditure, and providing advice and approvals where appropriate;
  - 3.1.f. monitoring the financial and operational performance of the Darwin Convention Centre under the concession deed and review and approve Business Plans and other associated financial commitments;
  - 3.1.g. managing property under the control or ownership of the Corporation and guiding the development and maintenance of civic amenities and facilities;
  - 3.1.h. creating, administering, reviewing and amending by-laws as required for good order and management pursuant to the Act;
  - 3.1.i. overseeing the levying and collection of rates for municipal services as prescribed by the by-laws;
  - 3.1.j. recommending for appointment by the Minister and assesses the performance of the Chief Executive Officer (CEO), and provide input into the operations and staffing requirements of the Corporation;
  - 3.1.k. delegating to the CEO to exercise the powers and functions of the Corporation;
  - 3.1.l. monitoring financial performance and liaise with the Auditor General;
  - 3.1.m. overseeing the effectiveness of management processes in place and approving major corporate initiatives;
  - 3.1.n. enhancing and protecting the brand and reputation of the Corporation;
  - 3.1.o. guiding and overseeing the promotional activities of the Corporation, with emphasis on the Darwin Waterfront being a place of residence and business and a venue for public events and entertainment;



- 3.1.p. overseeing the processes for identifying significant risks facing the Corporation, and that appropriate and adequate control, monitoring and reporting mechanisms are in place;
  - 3.1.q. monitoring the culture of the Corporation and, to the extent possible, the Darwin Waterfront;
  - 3.1.r. reporting to, communicating with and taking direction from the Minister - including the production of an Annual Report and **all** other public reporting requirements of the Act.
- 3.2. In carrying out the above functions and responsibilities, the Board may delegate any of its powers to a Board committee, a member, an employee or other person subject to any requirements under the Act or other applicable legislation.

#### 4. Relationship with Management

- 4.1. As described in paragraph 3.1.k, the Corporation's CEO has delegated responsibility for managing Corporation activities pursuant to the Act, Board policy and Board direction.
- 4.2. The CEO is accountable to the Board for the exercise of authority pursuant to the Act and as delegated by the Board. The CEO and the General Manager **will** report to the Board on the exercise of these powers on an ongoing basis.
- 4.3. The Chief Finance Officer is the person responsible for the financial administration of the Corporation and must report to the Board on the discharge of this responsibility on an ongoing basis.
- 4.4. Management must supply sufficient and timely information to the Board to allow **it** to discharge its duties effectively. The Board must independently assess the information provided by management.
- 4.5. A key function of the Board is to monitor the performance of management according to the strategies and objectives decided by the Board. Members have access to the General Manager at any time. In addition to regular attendance by the General Manager at Board meetings, Board members may seek briefings from the General Manager on specific matters in accordance with the Board agenda, and as otherwise required.
- 4.6. The Board retains the ultimate legal responsibility for the exercise of powers delegated to management. In particular, the Board is responsible for ensuring that powers and functions are in each case delegated **in** a responsible and appropriate manner, and that the exercise of these powers, as well as any reports and information provided by management, are independently assessed by the Board.



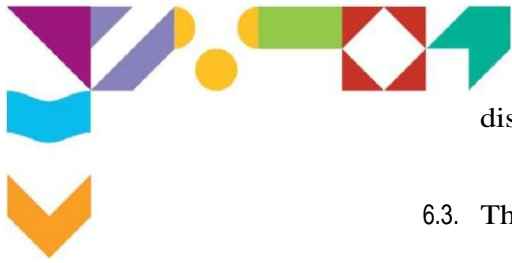


## 5. Relationship with responsible Minister

- 5.1. As part of the Corporation's relationship with the Northern Territory Government, the Board is responsible for:
  - 5.1.a. overseeing compliance by the Corporation with any formal directions issued by the responsible Minister under the Act or policies issued by the responsible Ministers, which the Corporation is required, or has undertaken, to comply with;
  - 5.1.b. approving the Annual Report to the responsible Ministers as required by the Act;
  - 5.1.c. keeping the responsible Minister informed about the Corporation's operations, financial performance and financial position and its achievement of objectives in strategic and operational plans; and
  - 5.1.d. immediately informing the responsible Minister of any matters that arise that, in the Board's opinion, may:
    - 5.1.d.1. significantly affect achievement of the strategic and operational objectives of the Corporation; or
    - 5.1.d.2. cause significant political or adverse media attention in relation to the Corporation and/or the Darwin Waterfront as a whole.

## 6. Board Composition

- 6.1. The Minister appoints at least 3 but not more than 7 Board Members. The total Members include one Member holding the position of CEO, as recommended by the Board and appointed by the Minister.
- 6.2. The Board may recommend additional or replacement Members to the Minister with the aim to achieve an appropriate mix of skills, expertise, experience and diversity (including gender) at the Corporation. Appointment is at the absolute



discretion of the Minister.

6.3. The Minister must appoint a Board Member as Chairperson.

## **7. Role of the Chairperson**

7.1. The Chairperson is responsible for:

7.1.a. leading the Board Members in their duties under the Act and pursuant to this Charter;

7.1.b. oversight of the processes and procedures in place to evaluate the performance of the Board, its CEO and committees (if established); and

7.1.c. managing the conduct of Board meetings and facilitating effective discussions at Board meetings by promoting an environment of trust, respect and openness.

## **8. Responsibility of Individual Board Members**

8.1. Each member is appointed pursuant to the terms of a letter of appointment from the Minister.

8.2. Each member is expected to observe the highest standards of ethical behaviour.

## **9. Conflicts of Interest**

9.1. Members must:

9.1.a. disclose to the Board any actual or potential conflict of interest which may exist as soon as they become aware of the issue;

9.1.b. take any necessary and reasonable measures to

try and resolve the conflict;

9.1.c. Unless the Board decide otherwise, if a conflict or potential conflict situation exists, the conflicted member will be excluded from all considerations of the matter by the Board including any segment of the Board papers or other documents containing any reference to the matter.

9.2. Members are expected to advise the Chairperson of any proposed Board or executive appointments to other organisations as soon as practicable.

9.3. Disclosure of interests by Board members is a standing meeting agenda item.

## **10. Meetings**

10.1. The Board will meet at least 6 times a year, or otherwise as convened by the Chairperson and/or as required by the Act.

10.2. At any time, the Minister may direct the Chairperson to convene a meeting of Members to deal with a matter specified by the Minister.

## **11. Charter Review**

11.1. This Corporation Member Charter is to be reviewed at least annually to ensure it is up to date and relevant to the Board's objectives and responsibilities.