



AGENDA

Ordinary Council Meeting Tuesday, 26 March 2019

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

Date: Tuesday, 26 March 2019

Time: 5.30pm

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

**Scott Waters
Chief Executive Officer**

ORDINARY COUNCIL MEMBERS

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

Alderman Andrew Arthur

Alderman Jimmy Bouhoris

Alderman Sherry Cullen

Alderman Justine Glover

Alderman Gary Haslett

Alderman Robin Knox

Alderman George Lambrinidis

Alderman Simon Niblock

Alderman Mick Palmer

Alderman Peter Pangquee

Alderman Rebecca Want de Rowe

Alderman Emma Young

OFFICERS

Chief Executive Officer, Scott Waters

General Manager Innovation Growth & Development Services, Joshua Sattler

General Manager Community & Regulatory Services, Polly Banks

General Manager Corporate and Procurement Services, Chris Potter

General Manager Government Relations & External Affairs, Melissa Reiter

Coordinator Governance, Penny Hart

General Manager Engineering & City Services, Ron Grinsell

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1 ACKNOWLEDGEMENT OF COUNTRY**2 THE LORD'S PRAYER****3 MEETING DECLARED OPEN****4 APOLOGIES AND LEAVE OF ABSENCE****4.1 Apologies****4.2 Leave of Absence Granted**

A. THAT it be noted Member R Want de Rowe is an apology due to a Leave of Absence for the period 21 March to 7 April 2019.

B. THAT it be noted Member J Bourhoris is an apology due to travel to the Taipei 2019 Smart City Summit & Expo for the period 24 to 28 March 2019.

4.3 Leave of Absence Requested**5 ELECTRONIC MEETING ATTENDANCE****5.1 Electronic Meeting Attendance Granted****5.2 Electronic Meeting Attendance Requested****6 DECLARATION OF INTEREST OF MEMBERS AND STAFF****7 CONFIRMATION OF PREVIOUS MINUTES**

Ordinary Ordinary Council Meeting - 12 March 2019

8 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

Nil

9 PUBLIC QUESTION TIME**10 PETITIONS****11 DEPUTATIONS AND BRIEFINGS****11.1 Parap Village Traders Association**

This matter is considered to be confidential under Section 65(2) - 8(e) 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 provided to the council on condition that it be kept confidential.

11.2 Department of Infrastructure, Planning and Logistics

This matter is considered to be confidential under Section 65(2) - 8(e) 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 provided to the council on condition that it be kept confidential.

12 NOTICES OF MOTION**12.1 NOTICE OF MOTION - RENEWABLE ENERGY TO POWER SHOAL BAY LEACHATE TREATMENT SYSTEM****Common No.:** 4006647**Attachments:** Nil

I, Alderman Simon Niblock, give notice that at the next Ordinary Council Meeting on 26 March 2019, I will move the following motion:-

MOTION

THAT a report be prepared outlining renewable energy options to sustainably power the leachate treatment system and the various operational facilities at Shoal Bay, with the report to consider both the installation of PV and the use of the power from the existing methane based Renewable Energy Facility.

REASON:

Council is shortly to commence construction of a leachate treatment system to treat up to 50ML of leachate per annum. Construction will cost approximately \$13,000,000, whilst ongoing operational cost will be around \$1,000,000 per year which includes, maintenance, labour, chemical treatment and electricity to power the aeration systems. Power consumption is predicted to be significant - around 1,400 kWh per day and costing approximately \$130,000 per annum. The ability to power this from renewable energy generated on-site offers both financial and environmental benefits to Council and the community.

Signed by me at Darwin this 20 March 2019

Alderman Simon Niblock

13 OFFICERS REPORTS

13.1 2ND QUARTER BUDGET REVIEW - 2018/2019

Common No.: 2476534

Author: Manager Finance

Authoriser: General Manager Corporate & Procurement Services

Attachments: 1. 2nd Budget Review 2018/19 Attachments A to E

SUMMARY

The purpose of this report is to:

- Present the 2nd Budget Review and seek Council's endorsement of recommended amendments to the budget.
- Provide additional financial information to supplement statutory monthly financial reporting and cost of services.

RECOMMENDATIONS

1. THAT Report entitled 2nd Budget Review - 2018/2019, be received and noted.
2. THAT Council amend the 2018/2019 budget, in accordance with Section 128 of the Local Government Act, as detailed in report entitled 2nd Budget Review - 2018/2019 and contained in **Attachments A-E** with Municipal Budget Summary implications as per **Attachment A**:
 - a) "Operating Result (Income Statement)", decrease of \$3,222,000 (debit) leading to a reduction in "Funds from operations" of \$3,222,000 (debit). **(Attachment A Notes 1).**
 - b) "Purchases of assets", decrease by \$3,368,000 (credit). **(Attachment E).**
 - c) "Transfers to specific reserves" increases by \$146,000 (debit) **(Attachment D).**
 - d) The sum of the above (a-c) variations to the existing adopted budget results in a nil effect to the General Funds **(Attachment A – Bottom Line).**

KEY ISSUES

- The 2nd Budget Review is presented as at 28 February 2019 and not as per past practice (as at December quarter ending). This is to ensure 1st quarterly amendments are included in the amended budget and provides a more up to date presentation of actuals.
- There is currently no change in general funds.

- There is a decrease in the Net Operating Result (Income Statement) of \$3.2M. This is mainly attributed to a reduction of capital income of \$3.25M for Urban Oval Lighting program (with a corresponding decrease in capital expenditure). This does not impact the General Funds.
- The 2nd Budget Review does not address additional expenditure for Cyclone Marcus clean up and recovery that has been incurred in 2018/19 - \$1.8M YTD February, with a further \$510k committed. This will be addressed pending outcome of the first submission of NDRRA funding.

BACKGROUND

Each quarter Council considers any variations required to the original budget. Where significant and urgent budget variations are necessary, these may be the subject of a separate more timely report and are then also included in the following quarterly budget review to ensure Council can be advised in relation to its overall projected results.

DISCUSSION

This report outlines a high level summary of significant variations and should be read in conjunction with the detailed notes provided in the attachments for additional variations.

Net Operating Result

The budget variations decrease funds the Net Operating Result (the Income Statement) by \$3,222,000. The main reasons for the decrease are:

- Reduction of capital grant income of \$3.25M for the Urban Lights Program. This was forecast to be received and expended during 2018/19, however, this is now expected to occur in 2019/20. This item has a corresponding decrease in capital expenditure (Purchases of assets) and therefore does not impact the General Funds.
- Requests for additional operational expense funds for projects funded by transfers from capital or request to utilise reserve funds \$63k
- The decrease in the Net Operating Result funds has been partially offset by transfers of operational expense budgets to capital for the Street Art Project \$20k.
- Other increases in capital income (\$71k) are due to recognition of grants which are offset by corresponding increases in capital expenditure (nil impact on general funds).

Purchases of Assets

Decreases in purchases of assets include:

- \$3.25M offsetting corresponding expenditure for Urban Lights program as discussed above
- \$297k Public Art Capital program transfer funds to Public Art Reserve to be spent on future public art project

- \$30k transfer capital budget to operational in Parks & Reserves for Great Air Race works in Aviators & Smith Parks
- \$26k transfer from road reconstruction capital budget to provide inkind support for the NT Arafura Games for the installation and removal of street light banners and hire fees program
- \$20k reduction in Mindil Beach Seawall Reconstruction budget to fund the Street to Art project

Increases in purchases of assets:

- \$144k investigation and design of the PFAS/OS treatment of the Shoal Bay Leachate Treatment funded from Waste Management Reserve
- \$85k Street Art Project (50% grant funded)
- \$26k Copeland Park playground replacement – insurance claim offset

Reserve Transfers

The 2nd Budget Review includes an increase in transfers to reserves with the majority relating to delayed projects being quarantined for future utilisation (net increase of \$2.685M).

Transfers to reserves:

- \$297k Public Art Capital program transfer funds to Public Art Reserve to be spent on future public art project

Transfers from reserves:

- \$144k investigation and design of the PFAS/OS treatment of the Shoal Bay Leachate Treatment transfer from Waste Management Reserve
- \$7k Mindil Beach consulting transfer from Market Reserve

STRATEGIC ENVIRONMENT

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':

Goal

5 Effective and Responsible Governance

Outcome

5.5 Responsible financial and asset management

Key Strategies

5.5.1 Manage Council's business based on a sustainable financial and asset management strategy

LEGISLATIVE/POLICY

Nil

CONSULTATION

This report was considered by the Strategic Directions Team on 19 March 2019 and is now referred to Council for consideration.

Internal

In preparing this report, the following City of Darwin officers were consulted:

- Budget Managers in relation to requests for budget variations

External**BUDGET/RESOURCE IMPLICATIONS**

Adoption of the recommendations in this report will result in Council varying the 2018/19 budget. Budget implications are detailed in the discussion of the report.

RISK

There is no legislative requirement for quarterly budget reviews.

Adoption of the recommendations in this report will result in Council varying the budget in accordance with Section 128 of the *Local Government Act*.

LEGAL

Section 127 (3) of the Local Government Act prohibits Council from adopting a deficit budget.

ARTS, CULTURE & ENVIRONMENT

Nil



2nd Budget Variations 2018/19

ATTACHMENT A

Municipal Budget Summary							
for the period ended 28/02/2019							
	Full Original	Full Amended	Recommended	Projected	YTD	YTD v	
	Budget	Budget	Variations	Result	Actual	Projected	
	\$'000	\$'000	\$'000	\$'000	\$'000	Result	
						%	Notes
% of year elapsed						66%	
Operational Income	103,297	101,840	55	101,895	93,293	92%	
Expenses	-109,907	-114,742	-98	-114,840	-76,199	66%	
Operating Surplus/(- Deficit)	-6,610	-12,902	-43	-12,945	17,094		1
Capital Income	10,115	7,615	-3,179	4,436	36	1%	
Net Operating Result (Income Statement)	3,505	-5,287	-3,222	-8,509	17,130		1
<i>Adjust non cash items:</i>							
Add back depreciation	27,353	31,318	-	31,318	20,878	67%	
Funds from operations	30,858	26,031	-3,222	22,809	38,009	167%	
Sale of assets	801	801	-	801	186	23%	
Purchases of assets	-32,470	-41,067	3,368	-37,699	-7,773	21%	2
Funds from investing	-31,669	-40,266	3,368	-36,898	-7,588		
Loans raised	3,000	3,000	-	3,000	-	0%	
Loans repaid	-422	-422	-	-422	-215	51%	
Funds from financing	2,578	2,578	-	2,578	-215		
Transfers from (-to) specific reserves	-1,767	11,657	-146	11,511	4,247		3
Net increase (-decrease) in General Funds	-	-	-	-	34,452		4

Notes on recommended variations:

1. The decrease in the Income Statement is as detailed in Attachment B, Cost of Services.
2. The decrease in Purchases of Assets is as detailed in Attachment E, Statement of Capital Expenditure.
3. Net decrease in reserve transfers is as detailed in Attachment C, Statement of Cash & Investments (Reserves).
4. This is the net sum of all fund flows after reserve transfers and results in a "balanced budget" (\$0). There is no increase or decrease in General Funds in the 2nd Budget Review.

ATTACHMENT B

COST OF SERVICES for the period ended 28/02/2019	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						66%	
OFFICE OF THE LORD MAYOR & CEO						Attachment B-1	
Income							
Engagement & Participation	-	-	35	35	29	81%	1
Governance Section	15	15	-	15	-	0%	
Human Resource & Safety	106	106	-	106	102	96%	
Total income	121	121	35	156	131	84%	
Expense							
Chief Executive Officer Section	753	780	-	780	1,200	154%	
Engagement & Participation	1,015	1,158	61	1,219	790	65%	1 & 2
Governance Section	1,421	1,475	-	1,475	931	63%	
Human Resource & Safety	1,885	1,991	55	2,046	1,558	76%	3
Marketing & Communications	676	770	-	770	424	55%	
Strategy & Outcomes	277	291	-	291	205	70%	
Total expense	6,028	6,466	116	6,582	5,107	78%	
Net surplus (-cost)	-5,907	-6,345	-81	-6,427	-4,976	77%	
Office of the Lord Mayor & CEO Notes on recommended variations :							
1. Grant Income from Dept. Tourism and Culture and Inspire Strategic Solutions for Bombing of Darwin and offsetting expenditure - 2 year agreement.							
2. Allocation of funding \$26.2k as per Council Decision 22\1325 to provide in-kind support for the NT Arafura Games for the installation and removal of street light banners and hire fees for Parap Pool - funded by reduction in roads resurfacing and reconstruction program.							
3. Re-allocate salary budgets for Safety Business Partner from Risk, Audit & Insurance to HR - Workplace Health & Safety Operational \$95k, offset by transfer to Corporate							

ATTACHMENT B

COST OF SERVICES							
for the period ended 28/02/2019							
	Full Original Budget	Full Amended Budget	Recommended Variations	Projected Result	YTD Actual	YTD v Projected Result	Notes
	\$'000	\$'000	\$'000	\$'000	\$'000	%	
% of year elapsed						66%	
INNOVATION GROWTH & DEVELOPMENT SERVICES							
						Attachment B-2	
Income							
City Parking	4,643	4,643	-	4,643	3,146	68%	
International Relations	-	-	-	-	3	100%	
Property	1,374	1,374	-	1,374	1,086	79%	
Total income	6,018	6,018	-	6,018	4,235	70%	
Expense							
City Parking	5,361	5,361	159	5,520	3,528	64%	1
City Planning	501	765	-	765	277	36%	
Economic Development & Tourism	382	417	-	417	294	70%	
Innovation Growth & Development Services GM	355	355	43	398	259	65%	2
International Relations	167	197	-	197	124	63%	
Property	128	128	7	135	84	63%	3
Smart Cities & Public Lighting	2,547	2,547	-43	2,504	1,462	58%	2
Total expense	9,441	9,770	165	9,935	6,029	61%	
Net surplus (-cost)	-3,423	-3,752	-165	-3,918	-1,794	46%	
Innovation Growth & Development Services Notes on recommended variations:							
<ol style="list-style-type: none"> 1. Reallocate utilities budgets from Building Services to City Parking to align with actuals 2. Transfer savings in Smart Cities salaries budget to fund GM Innovation operations budget. 3. Transfer from Market Reserve to be used for project consulting to prepare detailed design of grease trap system and suitable anti-vehicle ram bollards for Mindil Beach Markets. 							

ATTACHMENT B

COST OF SERVICES for the period ended 28/02/2019	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						66%	
COMMUNITY & REGULATORY SERVICES						Attachment B-3	
Income							
Community & Regulatory Section GM	-	3	-	3	3	100%	
Climate Change & Environment	51	51	-	51	50	99%	
Family & Children Services	220	220	-	220	185	84%	
Library Services	1,519	1,525	-	1,525	1,503	99%	
Recreation & Lifestyle	83	83	-	83	55	66%	
Regulatory Services	1,885	1,885	-	1,885	1,364	72%	
Youth Services	1	1	20	21	2	10%	1
Total income	3,759	3,768	20	3,788	3,161	83%	
Expense							
Community & Regulatory Section GM	531	531	-30	501	350	70%	2
Climate Change & Environment	466	572	-	572	369	64%	
Community Development	770	642	-10	632	355	56%	3
Darwin Entertainment Centre	911	989	-20	969	834	86%	4
Darwin Safer City	540	437	-	437	242	55%	
Family & Children Services	494	494	79	573	382	67%	5
Library Services	3,979	3,987	-	3,987	2,530	63%	
Recreation & Lifestyle	1,483	1,378	-	1,378	936	68%	
Regulatory Services	4,272	4,163	30	4,193	2,727	65%	2
Youth Services	489	489	10	499	186	37%	6
Total expense	13,934	13,682	59	13,741	8,911	65%	
Net surplus (-cost)	-10,175	-9,914	-39	-9,953	-5,750	58%	

ATTACHMENT B

COST OF SERVICES							
<u>for the period ended 28/02/2019</u>	Full Original Budget	Full Amended Budget	Recommended Variations	Projected Result	YTD Actual	YTD v Projected Result	Notes
	\$'000	\$'000	\$'000	\$'000	\$'000	%	
% of year elapsed						66%	
<p><u>Community & Regulatory Services Notes on recommended variations:</u></p> <ol style="list-style-type: none"> 1. Funding from Health Network Northern Territory to be received for costs associated with Launch Night Series. 2. Transfer of funds for Animal Education Campaign 2018/19 to Regulatory Services. As per Council Decision 22/1133 . 3. Transfer Arts Activities budget to capital to fund the Street to Art Project. 4. Transfer budget to Corporate Services function. 5. Funding required for Community Services cleaning and security costs previously budgeted to Building Services. Transfer from Building Services program. 6. Offsetting expenditure of funding from Health Network Northern Territory for costs associated with Launch Night Series +\$20k. Offset by reduction in Youth Week budget to fund the Street to Art project -\$10k. 							

ATTACHMENT B

COST OF SERVICES for the period ended 28/02/2019	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						66%	
ENGINEERING & CITY SERVICES							Attachment B-4
Income							
Building Services	1	1	-	1	3	267%	
Development	468	468	-	468	205	44%	
Fleet Management	47	47	-	47	47	101%	
Parks & Reserves	193	193	-	193	133	69%	
Roads Maintenance	1,846	966	-	966	724	75%	
Stormwater Drainage	138	138	-	138	-	0%	
Waste Management	22,365	22,365	-	22,365	17,313	77%	
Total income	25,058	24,178	-	24,178	18,424	76%	
Expense							
Engineering & City Services GM	519	519	-	519	375	72%	
Building Services	4,108	4,108	-312	3,797	2,126	56%	1
Capital Works Projects	457	362	-	362	380	105%	
Cleaning Services	3,259	3,259	-	3,259	1,704	52%	
Design	1,236	1,236	-	1,236	774	63%	
Development	166	166	-54	112	99	88%	2
Fleet Management	2,540	2,523	-	2,523	1,274	50%	
Fleet Management - Plant Hire Recharge	-4,018	-4,018	-	-4,018	-2,505	62%	
Infrastructure Maintenance Administration	982	951	-139	811	2,541	313%	3
Parks & Reserves	16,494	16,504	141	16,645	11,494	69%	4
Pathways	971	971	-	971	787	81%	

ATTACHMENT B

COST OF SERVICES							
for the period ended 28/02/2019							
	Full Original Budget	Full Amended Budget	Recommended Variations	Projected Result	YTD Actual	YTD v Projected Result	Notes
	\$'000	\$'000	\$'000	\$'000	\$'000	%	
% of year elapsed						66%	
Roads Maintenance	5,074	5,142	156	5,298	2,977	56%	5
Stormwater Drainage	832	914	-	914	582	64%	
Waste Management	16,309	16,258	-	16,258	9,633	59%	
Total expense	48,929	48,895	-208	48,687	32,241	66%	
Net surplus (-cost)	-23,871	-24,717	208	-24,509	-13,817	56%	

Engineering & City Services Notes on recommended variations:

1. Building Services
 - Reallocate utilities budgets to City Parking to align with actuals \$159k
 - Transfer cleaning & security budget to Family & Childrens section for Community Centres \$79k
 - Admin Officer from Building Services to Infrastructure Maintenance Administration \$74k.
2. Reallocate salary budget from Recoverable works to Roads Maintenance where actual costs are. Recoverable works decreased in Development section due to a change in process where driveway installations are currently being done with private contractors for residents.
3. Net reallocation of salaries across Infrastructure - Senior Technical Officer Parks transfer to Parks & Reserves \$111k, Work Zone Traffic Officer to Roads Maint. \$102k, offset by transfer in of Admin Officer \$74k.
4. Reallocation of salaries \$111k from Infrastructure Maintenance and \$30k transfer from capital for Great Air Race works in Aviators & Smith Parks.

ATTACHMENT B

COST OF SERVICES for the period ended 28/02/2019	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						66%	
CORPORATE & PROCUREMENT SERVICES							Attachment B-5
Income							
Corporate & Procurement GM	6	6	-	6	-	0%	
Customer Experience	112	112	-	112	58	52%	
Finance Section	495	495	-	495	279	56%	
Information, Communication & Technology (ICT)	53	53	-	53	54	101%	
Total income	665	665	-	665	391	59%	
Expense							
Corporate & Procurement GM	686	723	-20	703	401	57%	1
Asset Management	471	423	-	423	184	44%	
Corporate Information	784	784	-85	700	400	57%	2
Corporate Services Executive	-	138	130	268	70	26%	3
Customer Experience	636	636	35	670	414	62%	1
Employee Overheads (net)	-8	-8	-	-8	5	-65%	
Finance Section	3,200	3,122	-	3,122	1,800	58%	
Information, Communication & Technology (ICT)	2,765	3,106	-	3,106	2,064	66%	
Risk Audit & Insurance	1,351	1,351	-95	1,255	1,452	116%	4
Total expense	9,885	10,275	-35	10,239	6,790	66%	
Net surplus (-cost)	-9,220	-9,610	35	-9,574	-6,399	67%	

ATTACHMENT B

COST OF SERVICES	Full Original	Full Amended	Recommended	Projected	YTD	YTD v Projected	
for the period ended 28/02/2019	Budget	Budget	Variations	Result	Actual	Result	Notes
	\$'000	\$'000	\$'000	\$'000	\$'000	%	
% of year elapsed						66%	
<p>Corporate & Procurement Services Notes on recommended variations:</p> <ol style="list-style-type: none"> 1. Transfer budget to Corporate Services function. 2. Reallocate (prorate) salary budget from Corporate Information to Customer Services \$35k and to Corporate Services \$50k. 3. Operational budget funded from transfer from other sections to cover expenses for Corporate Services in regards to new functions and existing requirements. 4. Re-allocate salary budgets for Safety Business Partner from Business Risk Management to HR - Workplace Health & Safety Operational account. 							

ATTACHMENT B

COST OF SERVICES for the period ended 28/02/2019	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	YTD v Projected Result %	Notes
% of year elapsed						66%	
General Income						Attachment B-6	
General Revenues (rates, interest, Federal Asstce)	67,676	67,091	-	67,091	66,952	100%	
Grants & Contributions and Other Income for Capital Purposes	10,115	7,615	-3,179	4,436	36	1%	1
Total income	77,791	74,705	-3,179	71,526	66,988	94%	
Expense							
Contribution To General Funds by Other Activities	-5,663	-5,663	-	-5,663	-3,756	66%	
Depreciation & Impairment	27,353	31,318	-	31,318	20,878	67%	
Total expense	21,690	25,655	-	25,655	17,122	67%	
Net surplus (-cost)	56,102	49,051	-3,179	45,871	49,866		
Net surplus (-cost) All Services	3,505	-5,287	-3,222	-8,509	17,130		
(NB This is the same result as the Income and expenses section of the Municipal Plan Summary Income Statement Section.)							
General Notes on recommended variations:							
1. Capital Income							
<ul style="list-style-type: none"> - \$3.25M Sporting Oval Lighting grant funding for the Urban Lights Program was forecast to be received and expended during 2018/19 FY, however, this is now expected to occur in 2019/20. Reduce both the capital expenditure and income account as we are yet to receive funding . + \$45k Federal Government BBRF funding to be received - Street to Art (dollar for dollar funding) + \$26k received for insurance claim for Copeland Park playground replacement (offset in expenditure). 							

ATTACHMENT C

Statement of Cash & Investments as at 28/02/2019	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	Notes
Unrestricted	9,872	14,993	-	14,993	28,654	
Legally restricted						
CBD Carparking Shortfall - Developer Cont.	13,112	13,005	-	13,005	12,835	
CBD Carparking Shortfall - Rate Levy	13,253	13,208	-	13,208	14,334	
DEC Air Conditioning Replacement	96	96	-	96	96	
Developer Contributions	1,698	1,908	-	1,908	1,853	
Highway/Commercial Carparking Shortfall	19	50	-	50	50	
Market Site Development	418	445	-7	438	432	1
Other Carparking Shortfall	98	363	-	363	367	
Unspent Grants	-	5,514	-	5,514	5,514	
Waste Management Reserve	6,657	8,217	-144	8,073	10,860	2
Total legally restricted	35,351	42,806	-151	42,655	46,341	
Internally restricted						
Asset Replacement & Refurbishment	303	2,679	-	2,679	3,929	
Carry Forward	-	365	-	365	365	
DEC Asset Replacement/Refurbishment	-	-	-	-	111	
Disaster Contingency	1,035	1,035	-	1,035	1,035	
Election Expense	110	133	-	133	133	
Environmental	86	100	-	100	120	
IT Strategy	-	93	-	93	93	
Nightcliff Community Hall	52	53	-	53	50	
Off & On Street Carparking Reserve	217	5,086	-	5,086	5,240	
Plant Replacement	745	3,800	-	3,800	4,639	
Public Art	110	110	297	407	291	3
Street Lighting Reserve	517	955	-	955	2,276	
Tree Risk Management Reserve	-	-	-	-	-	
Total internally restricted	3,175	14,409	297	14,706	18,282	
Total Cash & Investments	48,398	72,208	146	72,354	93,277	

ATTACHMENT C

Statement of Cash & Investments as at 28/02/2019	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	Notes
Notes on recommended variations:						
<ol style="list-style-type: none"> 1. Markets Reserve transfer out \$7k for project consulting to prepare detailed design of grease trap system and suitable anti-vehicle ram bollards for Mindil Beach Markets. 2. Waste Management Reserve transfer out \$144k to fund the investigation and design of the PFAS/OS treatment of the Shoal Bay Leachate Treatment. 3. Public Art Reserve transfer in \$297k request to transfer funds to Public Art Reserve to be spent on future public art project. \$181k was originally funded by the Public Art Reserve and \$120k from general funds. Request is for full amount to be transferred to the reserve. 						

2017-18 Actual \$'000	Statement of Financial Position as at 28/02/2019	Full Original Budget \$'000	Full Amended Budget \$'000	Recommended Variations \$'000	Projected Result \$'000	YTD Actual \$'000	Notes
ASSETS							
Current Assets							
14,572	Cash at Bank & Investments - unrestricted	13,046	14,993	0	14,993	28,654	
46,635	Cash at Bank & Investments - legally restricted	35,351	42,806	-151	42,655	46,342	1
22,236	Cash at Bank & Investments - internally restricted	3,176	14,409	297	14,706	18,282	1
8,942	Receivables	8,498	8,942		8,942	19,863	
92	Inventories	110	92		92	176	
92,477		60,181	81,242	146	81,388	113,317	
Non-Current Assets							
1,000,070	Infrastructure, Property, Plant and Equipment	1,025,558	1,009,018	-3,368	1,005,650	986,779	2
1,092,547	TOTAL ASSETS	1,085,739	1,090,260	-3,222	1,087,038	1,100,097	
LIABILITIES							
Current Liabilities							
15,379	Trade & Other Payables	11,695	15,379		15,379	6,044	
423	Borrowings	422	422	-	422	215	
7,290	Provisions & Other Liabilities	8,171	7,290		7,290	7,252	
23,092		20,288	23,091	-	23,091	13,511	
Non-Current Liabilities							
4,624	Borrowings	7,059	7,625		7,625	4,624	
29,092	Provisions	19,900	29,092		29,092	29,092	
33,716		26,959	36,717	-	36,717	33,716	
56,808	TOTAL LIABILITIES	47,247	69,808	-	59,808	47,227	
1,035,739	NET ASSETS	1,038,492	1,030,452	-3,222	1,027,230	1,052,869	
EQUITY							
600,552	Asset Revaluation Reserve	597,461	600,552		600,552	600,552	
435,187	Retained Surplus & Other Reserves	441,031	429,900	-3,222	426,678	452,317	3
1,035,739	TOTAL EQUITY	1,038,492	1,030,452	-3,222	1,027,230	1,052,869	

Notes on recommended variations:

1. The increase in restricted funds is as detailed in Attachment C, Statement of Cash & Investments.
2. The decrease in capital expenditure is as detailed in Attachment E, Statement of Capital Expenditure.
3. Retained Surplus & Reserves is the net affect of recommended variations on net operating result (income statement) as per Attachment A.

ATTACHMENT E

Statement of Capital Expenditure							
for the period ended 28/02/2019	Full Original	Full Amended	Recommended	Projected	YTD	YTD v	
Master Account	Budget	Budget	Variations	Result	Actual	Projected	Notes
	\$'000	\$'000	\$'000	\$'000	\$'000	%	
Community & Regulatory Services							
05/221060 Swimming Pools Capital Projects Expenditure	100	100	-	100	47	47%	
05/221061 Community Projects Capital Expenditure	339	302	-212	90	5	5%	1
05/223062 Leisure Capital Projects	3,250	3,399	-3,250	149	90	61%	2
05/223065 Sports Facilities - Capital Projects	101	2,912	-	2,912	7	0%	
05/235060 Libraries Capital Expenditure	-	34	-	34	-	0%	
05/332089 Darwin Entertainment Centre Capital Projects	152	152	-	152	37	24%	
Community & Regulatory Services Total	3,942	6,899	-3,462	3,437	186	5%	
Engineering & City Services							
05/311060 Infrastructure Capital Projects	-	582	25	607	469	77%	3
05/322062 Minor Capital Works Program	143	143	-	143	65	46%	
05/322063 Streetscape Development & Upgrade	555	754	-25	729	265	36%	3
05/322064 Road Works Capital Projects Expenditure	-	-	50	50	1	2%	4
05/322066 Roads to Recovery Capital Projects Expenditure	-	1,679	-	1,679	657	39%	
05/322067 LATM Capital Projects Expenditure	490	703	-	703	140	20%	
05/322068 Cyclepath Capital Projects	564	956	-	956	642	67%	
05/322069 Black Spot Program	-	10	-	10	287	2759%	
05/322070 Lee Point Road Upgrade	100	100	-	100	-	0%	
05/331061 Footpaths Capital Projects	848	848	-	848	529	62%	
05/331062 Disability Access Capital Projects	55	55	-	55	-	0%	
05/331064 Driveway Capital Projects	237	237	-	237	119	50%	
05/331065 Road Reseal & Rehabilitation Capital Projects	2,452	2,073	-76	1,997	1,152	58%	5
05/331067 Parks Lighting Capital Projects	100	100	-	100	10	10%	
05/331068 Kerbing Capital Projects	30	30	-	30	-	0%	
05/331069 Traffic Signals Capital Projects	93	93	-	93	19	20%	
05/332060 Building Maintenance Capital Projects	846	1,156	-	1,156	633	55%	

ATTACHMENT E

Statement of Capital Expenditure							
for the period ended 28/02/2019	Full Original	Full Amended	Recommended	Projected	YTD	YTD v	
Master Account	Budget	Budget	Variations	Result	Actual	Projected	Notes
	\$'000	\$'000	\$'000	\$'000	\$'000	%	
05/332062 Urban Infra. Capital Project Expense	-	1,000	-	1,000	-	0%	
05/332063 Signage & Memorial Capital Projects	22	22	-	22	-	0%	
05/332086 Open Spaces Capital Refurbishment Costs	679	1,574	-20	1,554	-	0%	6
05/333062 Shoal Bay Upgrade Works	750	850	144	994	114	11%	7
05/334060 Stormwater Drainage Capital Projects	1,485	1,485	-	1,485	107	7%	
05/334065 Walkway Capital Projects	164	164	-	164	135	83%	
05/334068 Mosquito Control Capital Projects	126	206	-	206	-	0%	
05/335060 Fleet Management Capital Projects	2,891	2,891	-	2,891	1,011	35%	
05/341061 Fencing Capital Projects	224	224	-	224	99	44%	
05/341062 Parks & Reserves Revitalisation Capital Projects	1,692	1,715	26	1,741	195	11%	8
05/341063 Parks Infrastructure Capital Projects	141	141	-30	111	48	43%	9
05/341064 Parks & Reserves General Capital Projects	250	100	-	100	-	0%	
05/341065 Parks Landscaping & Irrigation Capital Projects	359	359	-	359	223	62%	
Engineering & City Services Total	15,297	20,250	94	20,344	6,920	34%	
Corporate & Procurement Services							
05/431060 IT Capital Projects	301	301	-	301	3	1%	
Corporate & Procurement Services Total	301	301	-	301	3	1%	
Innovation Growth & Development Services							
05/331066 Public Lighting Capital Projects	3,823	3,823	-	3,823	321	8%	
05/453065 Off Street Parking Capital Projects	15	15	-	15	-	0%	
05/520060 Smart Cities Capital Expenditure	9,091	9,778	-	9,778	343	4%	
Innovation Growth & Development Services Total	12,930	13,616	-	13,616	664	5%	
Capital Expenditure Total	32,470	41,067	-3,368	37,699	7,773	21%	

ATTACHMENT E

Statement of Capital Expenditure	Full Original	Full Amended	Recommended	Projected	YTD	YTD v Projected	
for the period ended 28/02/2019	Budget	Budget	Variations	Result	Actual	Result	
Master Account	\$'000	\$'000	\$'000	\$'000	\$'000	%	Notes
Notes on recommended variations:							
<ol style="list-style-type: none"> 1. Community Projects Capital Expenditure: <ul style="list-style-type: none"> • -\$297k Public Art - request to transfer funds to Public Art Reserve to be spent on future public art project. \$181k was originally funded by the Public Art Reserve and \$120k from general funds. Request is for full amount to be transferred to the reserve. • +\$85k Street to Art project ; \$45k grant funded (dollar for dollar funding) and \$45k transferred from other sections (operational and capital sources). 2. \$3.25M Sporting Oval Lighting grant funding for the Urban Lights Program was forecast to be received and expended during 2018/19 FY, however, this is now expected to occur in 2019/20. Reduce both the capital expenditure and income account as we are yet to receive funding . 3. \$25k transfer unallocated budget from Streetscape Development upgrade to fund the Bennett St Cavenagh St Intersection Upgrade. 4. \$50k funding for installation of pedestrian crossing and associated street lighting on Abala Road, Marrara, as per Council Decision 22/1326, funded from transfer from Roads Reseal & Rehabilitation capital budget. 5. Road Reseal & Rehabilitation: <ul style="list-style-type: none"> • \$50k transfer to Road Works Capital Expenditure for installation of pedestrian crossing and associated street lighting on Abala Road, Marrara, as per Council Decision 22/1326 • \$26.2k transfer to operational budget in Engagement & Participation for funding to provide in-kind support for the NT Arafura Games; as per Council Decision 22\1325. 6. \$20k transfer from Open Spaces capital projects to Street Art Project . 7. \$144k Transfer funds from Waste Management Reserve to fund the investigation and design of the PFAS/OS treatment of the Shoal Bay Leachate Treatment. 8. \$26k Copeland Park playground replacement - allocation for insurance claim received. 9. \$30k transfer to operational Parks & Reserves for Great Air Race works in Aviators & Smith Parks. 							

13.2 CEMETERIES AND BURIALS BILL 2018

Common No.:	3728992
Author:	Manager Strategy and Outcomes
Authoriser:	General Manager Engineering and City Services
Attachments:	1. City of Darwin Response to Cemeteries and Burials Bill 2018 2. Department Local Government, Housing and Community Development Presentation - 12 March 2019

SUMMARY

The purpose of this report is for Council to endorse City of Darwin's response to the Cemetery and Burials Bill 2018.

RECOMMENDATIONS

THAT:

1. The report be received and noted.
2. THAT Council endorse the City of Darwin response to the Cemetery and Burials Bill 2018 as provided at Attachment 1.

KEY ISSUES

- The Northern Territory Government has been reviewing Cemetery legislation for the past 18 months.
- Cemeteries and Burials Bill 2018 consultation closes on 31 March 2019.
- The Department of Local Government, Housing and Community Development presented The Bill and major changes to Council at the Ordinary Meeting held on 12 March 2019, refer Attachment B.
- The Bill has been drafted with the purpose of streamlining processes and the practical application of the legislation. It is considered that The Bill has been modernised and is more consistent with cemetery and burials legislation in other jurisdictions.
- The Bill enhances requirements for management and administration of cemeteries, including delegated responsibilities, record keeping, registers, policies, plans and the increased focus on information to be made publicly available.
- The Bill makes amendment to the following clauses which may impact Council if the right policies and procedures are not put in place:
 - Exclusive rights – limited to 50 years.
 - Exhumations - no longer an exhumation for the purpose of deepening the grave.
- The Bill will be in force from the enactment date and will not be applied retrospectively.

BACKGROUND

The *Cemeteries Act*, as in force at 1 May 2016, was first enacted in 1952. A new Act has been drafted over the past two to three years and is now presented as *The Burial and Cremation Bill 2018* for public consultation. Public consultation closes 31 March 2019.

DISCUSSION

The three primary areas of change in cemetery legislation that impact City of Darwin are:

1. Governance and Administrative Arrangements

The Bill defines Council as the responsible entity and emphasises the need for 'responsible entities' to have certain policies and procedures in place to manage cemeteries. Whilst the governance and administrative requirements are not onerous, nor unexpected, Council will be required to allocate resources to address these matters both now and for future compliance.

Of particular importance will be to ensure the accuracy of Council records for all cemeteries. Council may consider in future allocating project funds of one or multiple years for the purposes of verifying cemetery records to maintain history and culture within the municipality.

2. Exclusive Rights

Exclusive rights apply to unoccupied plots. The primary change to exclusive rights is the introduction of a time frame. Where existing permits for exclusive rights are in place, a maximum time frame of not more than 60 years will be applied and transfer of the exclusive right will be permitted once only. For all new exclusive right permits once The Bill is enacted, a maximum timeframe of not more than 50 years will apply. For new permits, the exclusive right will not be able to be transferred between family members and the permits must be issued to an individual not a corporate entity or family trust. All occupied plots will be in perpetuity.

3. Exhumations

The Bill proposes that applications to deepen a grave will no longer be treated as exhumations. Generally speaking, these types of exhumations are utilised when a parent wishes to be buried with a child that had previously passed away, or vice versa. Graves that are deepened for the purposes of adding to the plot can be approved by the Cemetery Manager.

Exhumations for the purposes of moving a grave to another location or place will continue to require ministerial approval.

Increased governance requirements for cemeteries are warranted. However, officers have identified that resources will be required to be allocated to ensure Council complies with these sections of the Act. In particular:

- Review Policies and Procedures.
- Develop and publish a cemetery plan.
- Review, update and ensure accuracy of the register of burials and publish on Council's website.
- Review Council's delegation register and ensure sub-delegations are in place.

Overall, unless Council redevelops a cemetery to create space or establishes a new one, impacts of The Bill will primarily be operational.

STRATEGIC ENVIRONMENT

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':

Goal

5 Effective and Responsible Governance

Outcome

5.4 Effective leadership and advocacy

Key Strategies

5.4.2 Advocate on behalf of the community

LEGISLATIVE/POLICY

Council's decision on whether to accept or otherwise the submission provided at Attachment A will impact on our ability to influence legislative change.

Council will be required to review all policy and procedure relating to cemeteries in response to the Bill being enacted.

CONSULTATION

Internal

In preparing this report, the following City of Darwin officers were consulted:

- Executive Manager Operations

External

- Department of Local Government, Housing and Community Development

BUDGET/RESOURCE IMPLICATIONS

Council's submission and future policy reviews are undertaken within existing resources. The General Manager Engineering and City Services may determine additional resources are required in future to address specific compliance requirements of new Act, once enacted.

RISK

There is a risk that Council is seen as not acting as a representative of the community if it does not provide a response to legislative change.

Council's response has considered the risks associated with legislative change, which are considered to be largely operational.

LEGAL

There are no legal implications for Council if it does not respond to legislative change.

ARTS, CULTURE & ENVIRONMENT

Nil



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TTY: +61 8 8930 0577

11 March 2019

Please quote: 3728992. VG:vg

Mr Jamie Chalker
Chief Executive Officer
Department of Local Government, Housing and Community Development
GPO Box 4621
Darwin NT 0801

Dear Mr Chalker

Burial and Cremations Bill 2019

Thank you for the opportunity to review and provide comment on the *Burial and Cremations Bill 2019*.

Council has observed that a great deal of work has been done to modernise The Bill and ensure that opportunities to minimise red tape have been sought.

As you know, City of Darwin is responsible for two closed and one semi-closed cemetery. The Darwin General Cemetery, semi-closed has only a few remaining plots most of which have permits for exclusive rights. Council acknowledges that a maximum time period of not more than 60 years will apply to current exclusive right permits and a period of not more than 50 years for new exclusive right permits.

Staff sought clarification from the Department in regards to the perpetuity of current occupied plots and accepts the Department's commitment to clarify this matter in The Bill.

Council continues to receive applications for deepening of graves to allow additional burials within the one site. Generally this occurs when a child has passed away at an early age and the deceased parents' wishes are to be buried with that child. It is acknowledged that this approval now rests with the Cemetery Manager as opposed to the Minister. Council supports this amendment.

Many other amendments within the legislation apply to the way in which the cemetery is managed and administered, along with enhanced compliance requirements. Council is supportive of improving the way in which cemeteries are



2

managed and seeks continued guidance and support from the Department to do so.

Lastly, Council thanks the Department for presenting to Council on this matter on Tuesday 12 March 2019 and providing assistance to Council staff to assess the impacts of The Bill.

If you have any further queries please contact Council's General Manager Engineering and City Services, Mr Ron Grinsell on 8930 0417 or r.grinsell@darwin.nt.gov.au.

Yours sincerely

SCOTT WATERS
CHIEF EXECUTIVE OFFICER

Encl

cc:



DEPARTMENT OF LOCAL GOVERNMENT, HOUSING
AND COMMUNITY DEVELOPMENT

CONSULTATION

DRAFT BURIAL AND CREMATION BILL

CITY OF DARWIN



Proposed Burial and Cremation Legislation

Modernises

regulation of burials and cremation



changing societal practices

different types of burial

Recognises

cemeteries on Aboriginal land



Community Cemeteries		
Public Cemeteries		
Local Cemeteries		
Independent Cemeteries		
Approvals to bury outside of cemeteries		

Responsibility for a cemetery

Council is the
“responsible entity”

CEO is cemetery
manager

Cemetery manager
can delegate





Council will set the opening hours

Burial register and permits for burial – more flexibility with forms

Depth of grave – one metre to coffin/human remains

Memorials will be regulated - requirement for owner to repair if a dangerous

Exclusive Rights of Burial

- To be held by only one person (grantee) who names who can be buried in the plot
- Existing rights will have an expiry of 60 years
- New rights will have an expiry of 50 years
- **Cannot** be sold to another person but Council can have a policy about reallocation if the right is expired and the plot is vacant
- **Right of renewal**



Burial Records



MEDICAL CERTIFICATE
(CAUSE OF DEATH)



BURIAL NOTICE



REGISTER

Disputes Hierarchy

1. Executor of Will

1. Appropriate person according to customs and traditions (if Aboriginal person with strong cultural and traditional ties) otherwise:

1. Spouse / defacto
2. Eldest child over 18
3. Parent
4. Eldest sibling over 18
5. Appropriate person



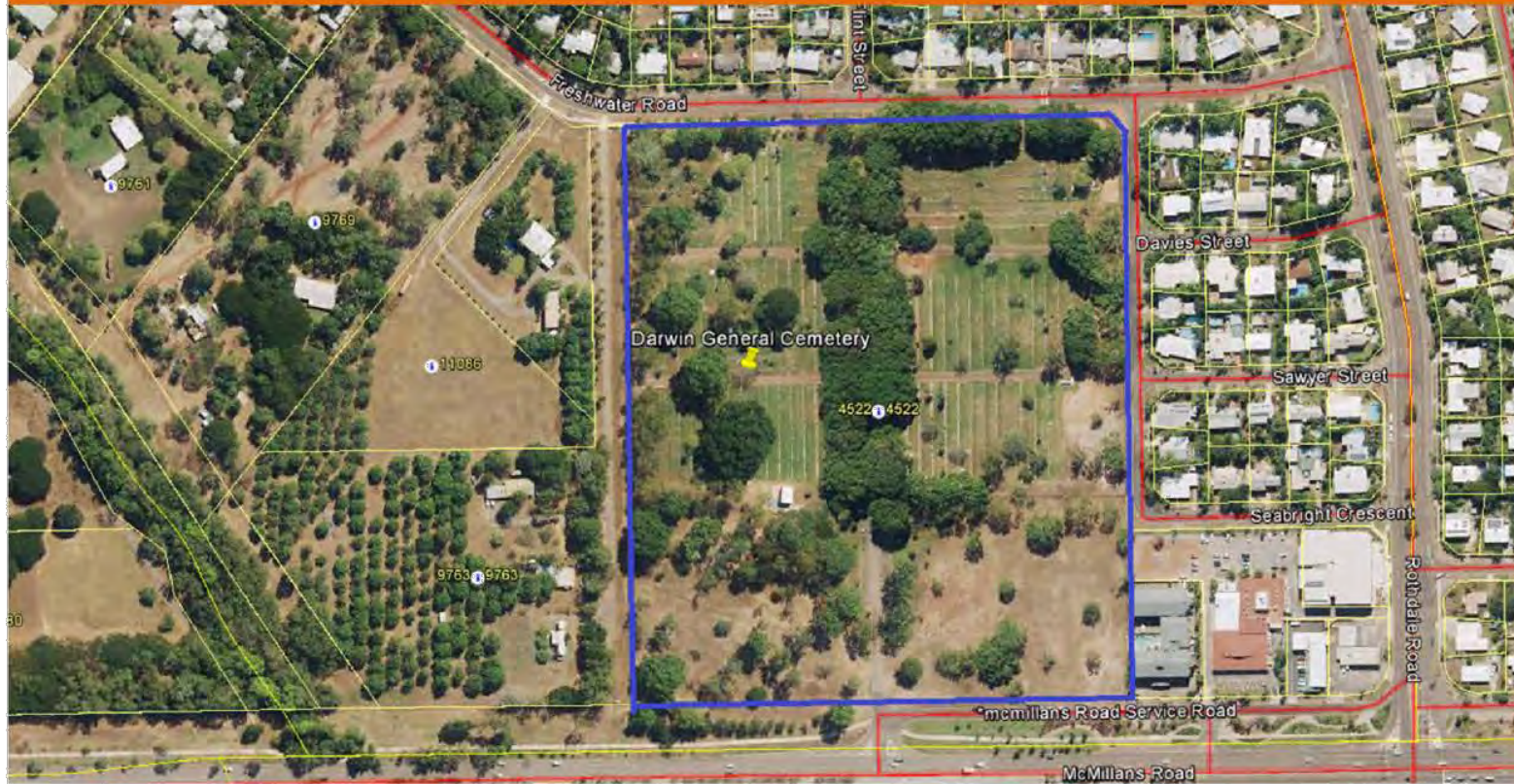
Pioneer Cemetery (Palmerston Cemetery)



Gardens Road Cemetery



Darwin General Cemetery



Closing Cemeteries

Closed cemetery
=
burials are no longer
available

Semi-closed cemetery =
no new plots are
available

If a **public cemetery** has been
closed for 50 years,
it may become a
public park





Other burials

Burial permit issued by the
Department of Local Government, Housing and
Community Development



Chapter headings in the draft legislation

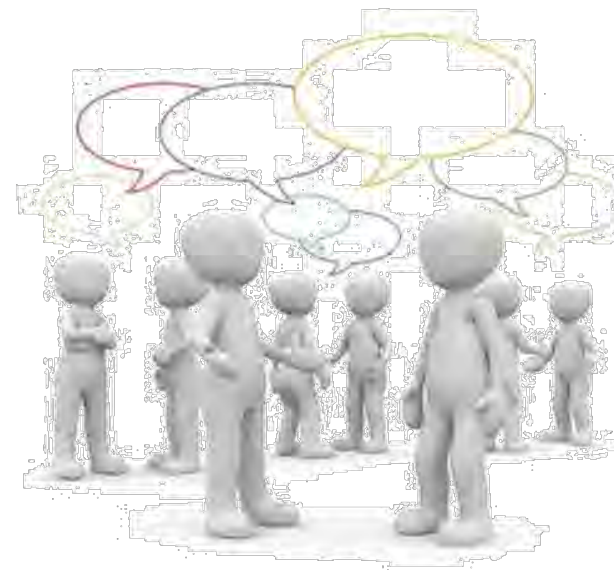
- Types of Cemeteries
- Memorials
- Depth of burial
- Exclusive rights
- Exhumations
- Crematoria
- Transport of human remains
- Semi-closed and closed cemeteries
- Transformation of closed cemetery into public park
- Compliance reviews and investigations
- Decision-making powers concerning human remains

Public consultation

Public consultation on the law
is underway

Submissions close:
31 March 2019

baca@nt.gov.au



14 RECEIVE & NOTE REPORTS

14.1 MONTHLY FINANCIAL REPORT - FEBRUARY 2019

Common No.: 2476534
Author: Manager Finance
Authoriser: General Manager Corporate & Procurement Services
Attachments: 1. MONTHLY FINANCIAL REPORT - FEBRUARY 2019

SUMMARY

The purpose of this report is to provide a comparison of income and expenditure against the budget for the period ended 28 February 2019 in accordance with the Local Government (Accounting) Regulations.

RECOMMENDATIONS

THAT:

1. The report entitled Monthly Financial Report - February 2019, be received and noted.

KEY ISSUES

- The Council operated at a better than budget position, before Capital Grants, of \$6.5 million for the eight months to 28 February 2019.
- The monthly financial report meets Council's statutory requirements.
- There are no overall concerns with this month's report.

BACKGROUND

Council has endorsed the format of the Monthly Financial Report. It is in compliance with the Local Government (Accounting) Regulations in respect of monthly financial reporting.

DISCUSSION

Significant items contributing to Councils better than budget position include;

- Increase in rates income through growth.
- Investment income is higher than anticipated.
- The timing of some income.
- Extra costs with Cyclone Marcus recovery and Insurance premiums is offset by lower employee costs, and depreciation.

Overall Income Statement

The Overall Income Statement contains all sources of Council's income (revenue) and operating expenses. Items of note include;

- Operating Income streams are performing as follows: (% is based against Revised Full Year Budget)
 - Rates – 100%
 - Fees & Charges – 66%
 - Garbage & Recycling – 99%
 - Parking – 74%
 - Operating Grants – 83%

- Investment Interest -98%
 - Property Rental / Leases – 75%
 - Fines & Penalties – 64%
 - Animal Rego – 92%
- Capital Grants & Contributions are behind budget due to the timing of receiving Grants.
 - Operating Expenses appears reasonable for this 8th month of the financial year. Certain salient items under Materials and Services have been noted to be much higher than that of last year due to:
 - Increased Insurance Premiums
 - Post Cyclone Marcus Recovery Works
 - Higher Water Costs
 - Higher Temporary Labour Costs
 -

These costs will be monitored and addressed during budget quarterly review.

Within the Statement of Financial Position report, the Receivables figure of \$19.9 million includes around \$14.4 million of Rates struck, which are not yet due.

Municipal Plan Summary

The Municipal Plan Summary follows a similar format to the statement of cash flows, but is based on working capital rather than cash. Elected Members can also refer to the quarterly budget reviews for more detailed final information as these become available.

Amended Budget

The amended budget column in the Overall Income Statement and Municipal Plan Summary (**Attachment A**) includes projects/programs carried forward from 2017/18 into 2018/19 for completion.

Treasury Comment

The Investment report details all cash and investments, by institution, and provides information on interest rate returns, maturities and policy compliance. Interest earned is at a weighted average return of 2.69%. This compares well to the 90 day bank Bill Swap rate, (BBSW), of 1.87%

Council has \$89.7 million of invested funds, most of which is either; Grant monies received in advance or Reserves with are a mix of legally and internally restricted.

Financial commentators are forecasting that the Reserve Bank of Australia is not likely to move interest rates until at least August 2019. Given the recent economic news and the housing market that continues to fall there it is expected that there is little chance of a rate rise until there are signs of significant inflationary pressures in the economy.

Accounts Receivable Report

This report details Rate receipt collection, outstanding general debtors, and performance on Rates recovery compared to the previous year. The report also includes additional information on infringement debtors, rates arrears, rates struck and rates outstanding (bar chart).

IMPLICATIONS

The financial report is as at 28 February 2019. In completing the report reliance is placed on a number of matters including; accuracy of budget phasing, timely receipt of financial inputs, and accruals.

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

Nil


RISK/LEGAL/LEGISLATIVE IMPLICATIONS

The information that is provided is considered to more than achieve statutory compliance as set out following:

Part 8 of the Local Government (Accounting) Regulations require that a monthly financial report is presented to Council.

Regulation 18 states:-

1. The CEO must, in each month, lay before a meeting of the council a report, in a form approved by the council, setting out:
 - a) The actual income and expenditure of the council for the period from the commencement of the financial year to the end of the previous month; and
 - b) The forecast income and expenditure for the whole of the financial year
2. The report must include:
 - a) Details of all cash and investments held by the council (including money held in trust); and
 - b) A statement on the debts owed to the council including the aggregate amount owed under each category with a general indication of the age of the debts; and
 - c) Other information required by the Council.
3. If a council does not hold a meeting in a particular month, the report is to be laid before the council committee performing the council's financial functions for the particular month.

		2018/19				2017/2018	
		Full Original Budget \$'000	Full Amended Budget \$'000	YTD Budget \$'000	YTD Actual \$'000	YTD v FAB %	LY Actual \$'000
Income Statement							
For the Period Ended 28/02/2019							
							
% of year elapsed						67%	
Income from Continuing Operations						Comment	
Rates & Annual Charges	71,678	71,919	69,362	72,012	100%	No Issues	100%
User Charges, Fees & Other	24,387	24,387	16,167	16,404	67%	No Issues	62%
Interest & Investment Revenue	1,913	1,913	1,285	1,866	98%	No Issues	82%
Grants & Contributions - Operating	5,319	3,621	2,831	3,010	83%	No Issues	89%
Total Income from Continuing Operations	103,297	101,840	89,645	93,292	92%		90%
Less Expenses from Continuing Operations							
Employee Costs	33,661	33,593	22,354	21,300	63%	No Issues	59%
Borrowing Costs	790	790	142	184	23%	No Issues	44%
Materials and Services	48,103	49,041	33,762	33,247	68%	No Issues	57%
Depreciation and Amortisation	27,353	31,318	22,225	20,879	67%	No Issues	59%
Total Expenses from Continuing Operations	109,907	114,742	78,484	75,609	66%		59%
Operating Result - Continuing Operations	(6,610)	(12,902)	11,161	17,682			21,775
Grants & Contributions - Capital	10,115	7,815	7,436	36	0%	Below Target	82%
Income (Loss) from Asset Disposal	-	-	-	-			-100%
Net Operating Result For the Year	3,505	(5,087)	18,597	17,718			29,741

Income Statement	
Explanation of Columns: "Full Original Budget" and "Full Amended Budget" are annual amounts. YTD Actual is year to date. YTD v FAB is the % of actuals achieved against the full year amended budget.	
Outlines Income and operating expenses. Capital expenditure has been excluded however depreciation expense has been recognised. The net operating surplus or deficit for the reporting period is a measure of Council's financial performance. This figure is determined by deducting total operating expenses including depreciation from total operating revenue.	
Operating income: Rates are recognised at the beginning of the year hence 100% achieved. User charges, fees and other revenue right on track. Operating grants & contributions are showing 63% achieved as library grants received in full for the year. Funbus grant for 1st payment schedule received. FAA Grant for the first three quarters of the year have been received.	
Operating expenses: Overall expenditure appears reasonable for this 8th month of the financial year. Borrowing expenses paid in November and the next scheduled payment is in May 2019. Depreciation expense is expected to exceed budget as additional assets were recognized at year end in 27/18. Materials and Services are tracking well within budget.	
Capital income: Anticipated capital grants will not be received until later in the year.	
Manager Finance: There are no overall concerns in relation to the original budget.	



Statement of Cash Flows
For the Period Ended 28/02/2019

	Full Original Budget \$'000	Full Amended Budget \$'000	2018/19	
			YTD Actual \$'000	YTD v FAB %
% of year elapsed				67%
Funds From Operating Activities				
Net Operating Result From Above	3,505	(5,287)	17,718	
Add back depreciation (not cash)	27,353	31,318	20,878	
Net Funds Provided (or used in) Operating Activities	30,858	26,031	38,597	
Funds From Investing activities				
Sale of Infrastructure, Property, Plant & Equipment	801	801	186	23%
Purchase of Infrastructure, Property, Plant & Equipment	(32,470)	(41,067)	(7,773)	19%
Net Funds Provided (or used in) Investing Activities	(31,669)	(40,266)	(7,588)	
Funds From Financing Activities				
Proceeds from borrowings & advances	3,000	3,000	-	0%
Repayment of borrowings & advances	(422)	(422)	(207)	49%
Net Funds Provided (or used in) Financing Activities	2,578	2,578	(207)	
Net Increase (-Decrease) in Funds Before Transfers	1,767	(11,657)	30,802	
Transfers from (-to) Reserves	(1,767)	11,657	4,247	
Net Increase (-Decrease) in Funds After Transfers	-	-	35,049	

Municipal Plan Summary

Outlines This statement outlines Councils entire budget in accordance with the published municipal plan. It shows the effect on General Funds (original budget - break even/nil). It groups items into operating, investing and financing and has a very close relationship to cash flows, which is why it is presented in the same international format. It eliminates the depreciation calculation and discloses totals for asset sales and purchases as well as loan raising and repayments. Finally it discloses the transfers to & from cash backed reserves which are detailed in the quarterly budget review reports.


Full Amended Budget: Includes carry forwards from 2017/18

Net funds provided by operating activities: These will reduce throughout the year to equate more closely to budget as the rates struck are expended.

Sale of Plant & Equipment: This appears low and should increase once fleet purchases are achieved.

Purchase of Infrastructure, property etc. This is 19% spent compared to 67% of year elapsed.

Transfers from (-to) reserves: This discloses the transfers to & from cash backed reserves.

Statement of Financial Position			
For the Period Ended 28/02/2019			
			
<u>2017-18</u>		<u>2017/18</u>	
Audited		Full Original	Full Amended
Actual		Budget	Budget
\$'000		\$'000	\$'000
			YTD
			Actual
			\$'000
Current Assets			
14,572	Cash at Bank & Investments	13,046	14,993
46,635	Cash at Bank & Investments - externally restricted	35,351	42,806
22,236	Cash at Bank & Investments - Internally restricted	3,176	14,406
8,942	Receivables	8,498	8,942
92	Inventories	110	92
-	Other	-	-
<u>92,477</u>		<u>60,181</u>	<u>81,241</u>
Non-Current Assets			
1,000,070	Infrastructure, Property, Plant and Equipment	1,025,558	1,009,018
<u>1,000,070</u>		<u>1,025,558</u>	<u>986,779</u>
1,092,547	TOTAL ASSETS	1,085,739	1,100,032
Current Liabilities			
15,379	Payables	11,695	15,379
423	Borrowings	422	422
7,290	Provisions & Other Liabilities	8,171	7,290
<u>23,092</u>		<u>20,288</u>	<u>23,091</u>
Non-Current Liabilities			
4,624	Borrowings	7,059	7,624
29,092	Provisions	19,900	29,092
<u>33,716</u>		<u>26,959</u>	<u>36,716</u>
56,808	TOTAL LIABILITIES	47,247	59,807
1,035,739	NET ASSETS	1,038,492	1,053,454
Equity			
669,421	Asset Revaluation Reserve	597,461	669,421
366,318	Retained Surplus	441,031	361,031
<u>1,035,739</u>	TOTAL EQUITY	<u>1,038,492</u>	<u>1,053,454</u>

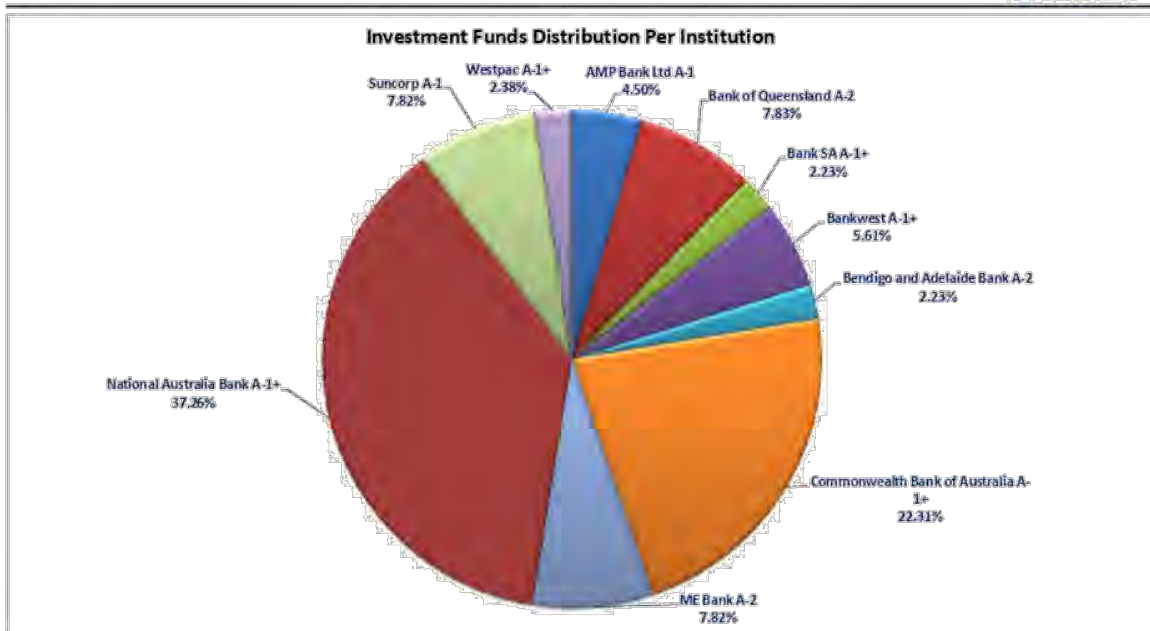
Statement of Financial Position Comments:

The Statement of Financial Position outlines what Council owns (assets) and what it owes (liabilities) at a point in time. Council's net worth is determined by deducting total liabilities from total assets - the larger the net equity, the stronger the financial position.

Manager Finance: there are no concerns in relation to the original budgets at this stage. Note that the full original budget is as published in the adopted Municipal Plan 2018/19. The full amended budget column is based on the audited closing balances as at 30/6/2018 plus Council approved amendments, the YTD Actual column is based on audited actual closing balances as at 30/6/2018 and adjustment of actual movements since.



INVESTMENTS REPORT TO COUNCIL AS AT 28 February 2019



Portfolio vs Investment Policy


COUNTERPARTY (ADI)	CREDIT RATING (ST)	Policy Limit	% of Total Portfolio
AMP Bank Ltd	A-1	30%	4.50%
Bank of Queensland	A-2	10%	7.83%
Bank SA	A-1+	40%	2.23%
Bankwest	A-1+	40%	5.61%
Bendigo and Adelaide Bank	A-2	10%	2.23%
Commonwealth Bank of Australia	A-1+	40%	22.31%
ME Bank	A-2	10%	7.82%
National Australia Bank	A-1+	40%	37.26%
Suncorp	A-1	30%	7.82%
Westpac	A-1+	40%	2.38%
Grand Total			100.00%

CREDIT RATING (ST)	Policy Limit	% of Total Portfolio
A-1+	100%	69.79%
A-1	45%	12.33%
A-2	25%	17.88%
Grand Total		100.00%

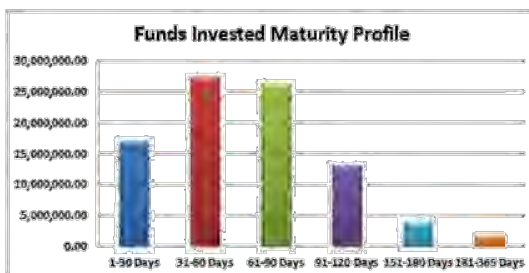
TERM TO MATURITY	Policy Min.	Policy Max.	% of Total Portfolio
< 1 YEAR	30%	100%	100%
> 1 YEAR	0%	50%	0%
> 3 YEARS	0%	30%	0%
> 5 YEARS	0%	10%	0%
Grand Total			100.00%

INSTITUTION CATEGORY	Institution Category Limits	% of Total Portfolio
MAJOR BANK	100%	61.95%
REGIONAL BANK	45%	38.05%
Grand Total		100.00%

INVESTMENT REPORT TO COUNCIL AS AT 28 February 2019



Investment Description	Current Yield (%)	Weighted Avg. Yield (%)	Term	Start Date	End Date	Value (\$)	Yield (%)
MAJOR BANK						\$55,559,892	61.55%
Commonwealth Bank of Australia						\$20,000,181	22.21%
A-1+ AA- TD				5 March 2019		\$2,000,000	2.25%
				12 March 2019		\$4,000,000	4.48%
				19 March 2019		\$2,000,000	2.23%
				2 April 2019		\$4,000,000	4.48%
				9 April 2019		\$2,000,181	2.24%
				16 April 2019		\$4,000,000	4.46%
				21 May 2019		\$2,000,000	2.23%
National Australia Bank						\$33,415,931	37.25%
A-1+ AA- TD				5 March 2019		\$2,000,000	2.23%
				2 April 2019		\$2,052,737	2.29%
				9 April 2019		\$4,058,589	4.54%
				23 April 2019		\$1,052,088	1.17%
				30 April 2019		\$2,052,325	2.29%
				7 May 2019		\$5,000,000	3.34%
				14 May 2019		\$2,000,000	2.23%
				14 May 2019		\$1,034,028	1.16%
				14 May 2019		\$4,030,202	4.50%
				21 May 2019		\$2,000,000	2.23%
				21 May 2019		\$1,019,929	1.14%
				18 June 2019		\$5,054,800	5.65%
				25 June 2019		\$4,032,844	4.50%
Westpac						\$2,116,118	2.38%
A-1+ AA- TD				23 April 2019		\$1,079,030	1.20%
				30 April 2019		\$1,037,088	1.18%
REGIONAL BANK						\$34,122,254	38.05%
AMP Bank Ltd						\$4,017,583	4.50%
A-1 A TD				2 April 2019		\$2,000,000	2.23%
				13 August 2019		\$2,017,583	2.27%
Bank of Queensland						\$7,026,798	7.83%
A-2 BBB+ TD				26 March 2019		\$1,000,000	1.11%
				16 April 2019		\$1,000,000	1.11%
				16 April 2019		\$1,000,000	1.11%
				23 April 2019		\$2,000,000	2.23%
				27 August 2019		\$2,026,798	2.26%
Bank SA						\$2,000,000	2.23%
A-1+ AA- TD				28 May 2019		\$2,000,000	2.23%
Bankwest						\$5,036,016	5.61%
A-1+ AA- TD				12 March 2019		\$2,000,000	2.23%
				30 April 2019		\$3,036,016	3.39%
Bentigo and Adelaide Bank						\$2,000,000	2.23%
A-2 BBB+ TD				26 March 2019		\$2,000,000	2.23%
ME Bank						\$7,013,463	7.82%
A-2 BBB TD				9 April 2019		\$2,000,000	2.23%
				3 September 2019		\$2,000,000	2.23%
				14 May 2019		\$1,000,000	1.11%
				21 May 2019		\$2,013,463	2.24%
Suncorp						\$4,018,388	4.50%
A-1 A+ TD				19 March 2019		\$2,000,000	2.23%
				23 April 2019		\$1,018,388	1.14%
				4 June 2019		\$2,000,000	2.23%
				11 June 2019		\$2,000,000	2.23%
Grand Total						\$49,687,144	50.00%



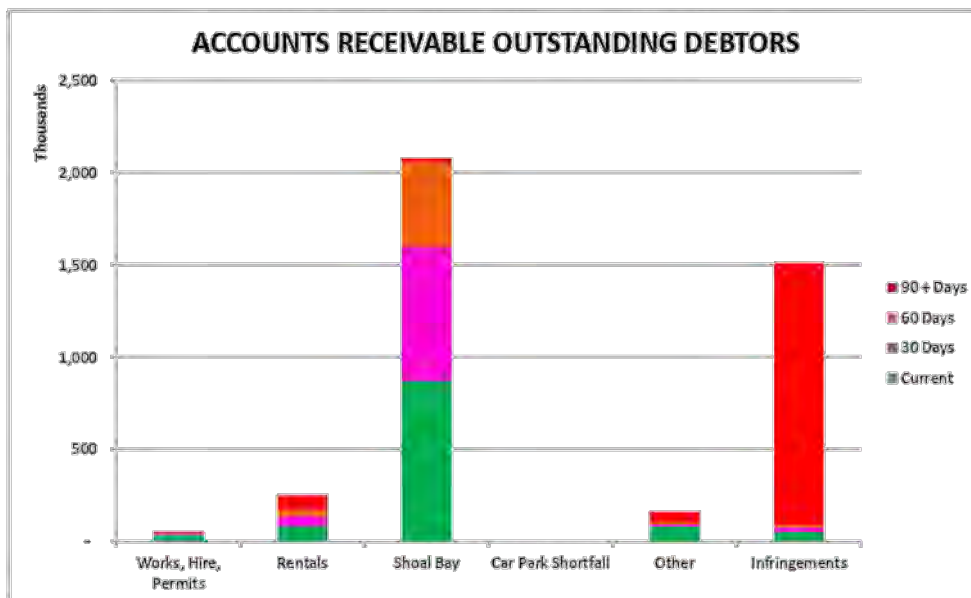
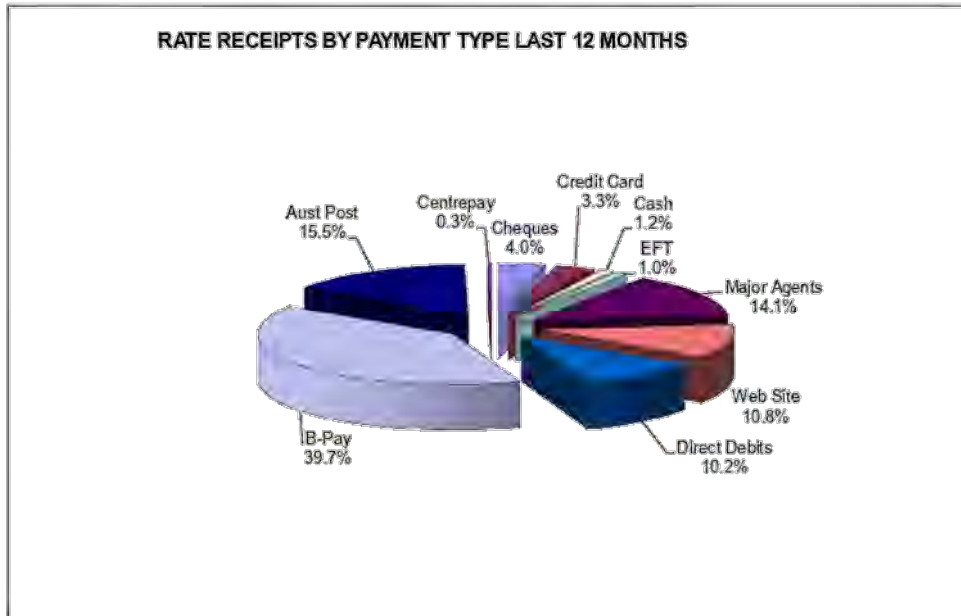
General Bank Funds	\$3,479,000
Total Funds	\$95,171,146
Total Budgeted Investment Earnings	\$1,603,778
Year to Date Investment Earnings	\$1,520,142
Weighted Ave Rate:	2.69%
BSW 90 Day Rate	1.87%

Council has an arrangement with its financial institution the Commonwealth Bank of Australia to offset Council's overdraft facility against pooled funds held in Council's Trust Account and General Account

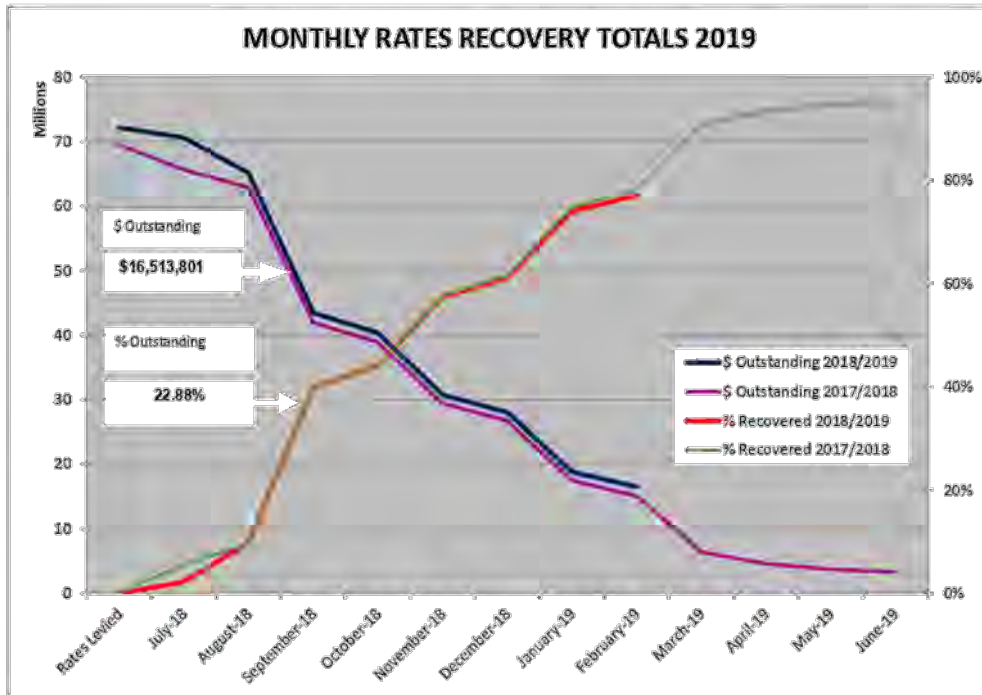
Trust Bank Account	\$479,101
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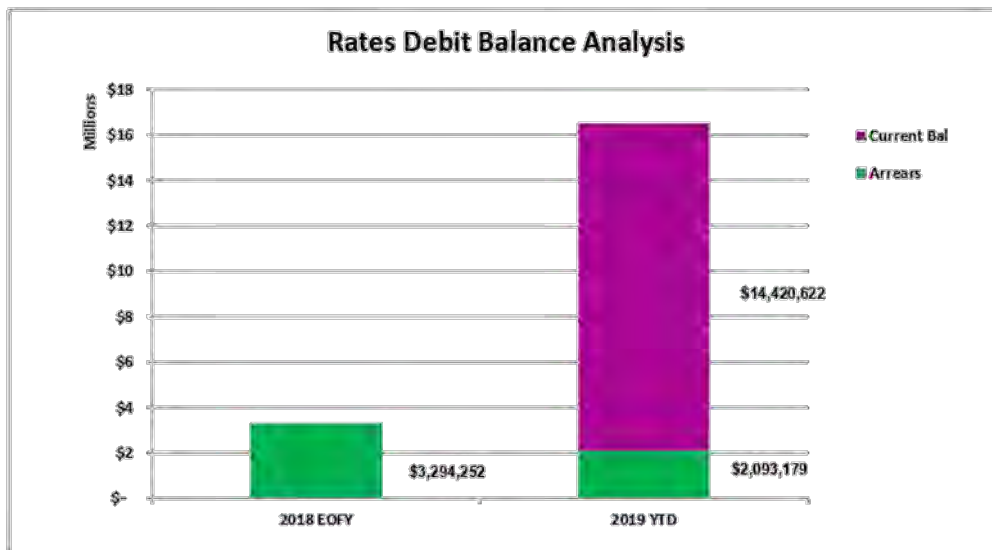
**FINANCE DEPARTMENT
SERVICE LEVEL REPORT TO COUNCIL
FOR THE MONTH OF FEBRUARY 2019**



Pursuant to Local Government (Accounting) Regulations Sec 18(2)(b) the chart is titled "Accounts Receivable Outstanding Debtors" represents sundry debts owed to Council on an "aged" basis.



The chart labelled "Monthly Rates Recovery Totals" represents the amounts currently outstanding in Rates to Council, rates are either due or overdue and no further "aging" is possible.



14.2 INVITATION TO THE ACTIVATE DARWIN ADVISORY BOARD

Common No.: 4000714
Author: Coordinator Governance
Authoriser: General Manager Government Relations & External Affairs
Attachments: 1. Incoming letter from the Chief Minister

SUMMARY

The purpose of this report is to inform Council that the Chief Executive Officer has been invited to be an inaugural member of the Activate Darwin's Advisory Board.

RECOMMENDATIONS

THAT the report be received and noted.

KEY ISSUES

- One of the Darwin City Deal initiatives is the establishment of Activate Darwin, a new entity tasked with strategically managing events and promotion of the CBD.
- Activate Darwin's Advisory Board, which will be made up of private businesses, industry associations and representatives from City of Darwin and NT Government, provides the opportunity for the ongoing future of the CBD to be further considered with input from all interested parties.
- The Chief Minister has written to the Chief Executive Officer to invite him to be an inaugural board member.

BACKGROUND

Activate Darwin was announced on 1 March 2019 as a new entity that will focus on revitalising Darwin CBD. It will be independent, with a Chief Executive Officer and governing board, similar to that of the Darwin Waterfront Corporation.

DISCUSSION

City of Darwin is excited to be partnering with the NT Government in Activate Darwin. There is a recognised need to revitalise Darwin and both entities are taking action to improve, integrate and streamline processes so that organisations and businesses can hold festivals and events and generally enjoy Darwin's outdoor lifestyle. The terms of reference for the board have been included in the correspondence from the Chief Minister.

IMPLICATIONS

As a partner (signatory) to the Darwin City Deal, City of Darwin has a number of commitments as part of the Deal. The development of a Darwin City Deal is focused on transforming Darwin City into an internationally renowned tropical capital city with a renewed and vibrant city centre as a tri-partnership between the Australian and Northern Territory Governments and the City of Darwin.

Promoting Darwin as a great place for visitors is one of the key commitments of the City Deal: to work with the Northern Territory to establish a City Activation and Promotion entity; Develop applications to promote Darwin's heritage and improve wayfinding under the Switching on Darwin project.



Parliament House
Stella Square
Darwin NT 0800
chief.minister@nt.gov.au

GPO Box 3146
Darwin NT 0801
Telephone: 08 8936 5500
Facsimile: 08 8936 5576

Mr Scott Waters
City of Darwin

Via email: S.Waters@darwin.nt.gov.au

Dear Mr Waters

My Government is committed to the revitalisation of the Darwin city centre into a tropical, vibrant capital of Northern Australia.

A key focus of this transformation is strategic management and oversight of the experiences people have in the CBD, which we highlighted in the recently-signed Darwin City Deal by proposing and funding the establishment of an entity responsible for strategic activation and promotion of the Darwin city centre.

This entity, Activate Darwin, will be governed by an Advisory Board made up of representatives from the private sector and from government, and will be tasked with increasing footfall, improving experiences and encouraging growth and investment within the city centre, it will provide an effective link between government and the community and will be instrumental in driving change in Darwin's CBD.

As an important participant in Darwin city's economy, I would like to invite you to be an inaugural member of Activate Darwin's Advisory Board. If you accept, you will join nine other business and government representatives actively contributing to the revitalisation of Darwin CBD.

Board members will be remunerated in accordance with the Northern Territory Government boards and committees guidelines.

I have attached the draft Terms of Reference for Activate Darwin and look forward to hearing from you to confirm your participation. Should you have any questions please contact Ms Jo Smallacombe on (08) 8999 5180 or email jo.smallacombe@nt.gov.au

Yours sincerely



MICHAEL GUNNER

- 7 MAR 2019



Terms of ReferenceACTIVATE DARWIN ADVISORY BOARDBACKGROUND

In January 2019 Activate Darwin will commence operations, providing a strategic and coordinated approach to Darwin City revitalisation, activation and promotion.

Activate Darwin is governed by an Advisory Board comprising representatives from NT Government, City of Darwin, Darwin Waterfront Corporation, Cullen Bay Management Authority and private sector stakeholders or industry associations with members operating in the city centre.

The Activate Darwin Advisory Board Members and Chair will be appointed by the Chief Minister.

Sub-committees of the Advisory Board will be established, one focused on activities that occur in the daytime economy and one on the night-time economy. Each sub-committee will provide regular reports to the full Board meeting.

Remuneration for Advisory Board members will be equivalent to statutory bodies in the Class C3 Advisory and Review Bodies (Ministerial Assistance) category in the 2012 *Statutory Bodies Classification Structure Determination*. This classification entitles members to a daily sitting rate of \$228, along with travelling allowance and other entitlements.

PURPOSE

The Activate Darwin Advisory Board will comprise representation from key stakeholder groups in the city. It will work collaboratively to provide advice and expertise to the Director, Cities relating to revitalisation, activation and promotion of Darwin city centre.

SCOPE

Darwin city centre area with a primary focus on the CBD from the Darwin Waterfront to Cullen Bay.

The Director, Cities provides regular reports to the Advisory Board on the operations of Activate Darwin and seeks input to, and endorsement of, strategies and significant campaigns.

The Advisory Board, or a sub-committee of the Advisory Board, makes recommendations to the CEO, DCM, for funding applications through the City Grants program.

ROLES AND RESPONSIBILITIES

The Advisory Board is accountable for:

- Providing strategic direction, setting the strategies, goals, action plans, policies and performance targets to meet stakeholder expectations.
- Monitoring performance against strategies and plans, including taking action to leverage opportunities or address weaknesses.

- Maintaining the focus of the Advisory Board on Activate Darwin's scope, outcomes and benefits.
- Ensuring compliance with statutory obligations, legal and accounting requirements and government policy and practices.
- Identifying risks and ensuring suitable processes are in place to manage or mitigate those risks.
- Reporting progress to stakeholders, including the NT Government and members of the community and championing efforts of the Board in public or private forums as appropriate.
- Monitoring and managing the factors outside the Board's control that are critical to Activate Darwin's success.

Members of the Advisory Board commit to:

- Providing meaningful advice and input as required, including consultation with their industry sector as necessary and appropriate.
- Regular attendance at meetings.
- Advocating for Activate Darwin as a key Darwin City Deal initiative.

RESOLUTIONS AND DECISION MAKING

Matters requiring a decision are determined by consensus of the members present.

MEMBERSHIP

Organisation	Representative	Sub-committee membership

CONFLICT OF INTEREST

Advisory Board members must declare any conflicts of interest at the start of each meeting, before discussion of the relevant item or at any time that a conflict arises. If an Advisory Board member has a personal interest in a matter being considered by Activate Darwin or the Advisory Board, he or she must disclose it. Details of any conflicts of interest will be minuted.

If members are deemed to have a real or perceived conflict of interest, they are to be excused from discussions on the issue where the conflict of interest exists.

CONFIDENTIALITY

All deliberations, decisions and activities of the Advisory Board are confidential unless expressly stated by the Chairperson or their delegate. Where decisions and activities are to be made public, this will be disclosed to Advisory Board members.

FREQUENCY

Meetings monthly or as required.

Updates, notifications and call for action via email for out of session.

QUORUM

A quorum for a board meeting is constituted by a majority (ie more than half) of Advisory Board members.

SECRETARIAT

Department of Chief Minister will provide secretariat support.

- Agendas will be provided no less than three working days prior to the meeting. Minutes will be provided no more than five working days after the meeting.
- Agenda items must be provided no less than five working days before the meeting.

REVIEW

December 2019

15 REPORTS OF REPRESENTATIVES

16 QUESTIONS BY MEMBERS

17 GENERAL BUSINESS

17.1 Appointment of Acting Deputy Lord Mayor 24 - 28 March 2019

Common No. 375173

THAT in accordance with Part 4.3 of the Local Government Act, Alderman R M Knox be appointed as Acting Deputy Lord Mayor for the period 24-28 March 2019.

18 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday, 16 April 2019, at 5.30pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

19 CLOSURE OF MEETING TO THE PUBLIC

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) 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 65(2) of the Local Government Act:

24.1 Streetscape Beautification Program Development

This matter is considered to be confidential under Section 65(2) - 8(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 prejudice the interests of council or some other person.

24.2 New Covered Walkways along Smith and Bennett Street

This matter is considered to be confidential under Section 65(2) - 8(e) 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 provided to the council on condition that it be kept confidential.

24.3 Parap Pool Redevelopment - QS Investigation Outcomes

This matter is considered to be confidential under Section 65(2) - 8(e) 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 provided to the council on condition that it be kept confidential.

24.4 Council Payments Listing - February 2019

This matter is considered to be confidential under Section 65(2) - 8(e) 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 provided to the council on condition that it be kept confidential.

24.5 Rates Concessions Overview

This matter is considered to be confidential under Section 65(2) - 8(b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information about the personal circumstances of a resident or ratepayer.

24.6 Bruce Munro Lighting Exhibition

This matter is considered to be confidential under Section 65(2) - 8(e) 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 provided to the council on condition that it be kept confidential.

24.7 Garramilla Boulevard Project

This matter is considered to be confidential under Section 65(2) - 8(a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

PREVIOUS MINUTES

CITY OF DARWIN

MINUTES OF THE THIRTY-THIRD ORDINARY COUNCIL MEETING OF THE TWENTY-SECOND COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE ON TUESDAY, 12 MARCH 2019 COMMENCING AT 5.36PM.

MEMBERS: The Right Worshipful, Lord Mayor, K Vatskalis, (Chair); Member A J Arthur; Member J Bouhoris; Member S Cullen; Member J A Glover; Member G J Haslett; Member R M Knox; Member G Lambrinidis; Member S J Niblock; Member M Palmer; Member P Pangquee; Member E L Young.

OFFICERS: Chief Executive Officer, Mr S Waters; General Manager Corporate & Procurement Services, Mr C Potter; General Manager Government Relations and External Affairs, Ms M Reiter; General Manager Innovation, Growth and Development Services, Mr J Sattler; General Manager Engineering and City Services, Mr R Grinsell; General Manager Community and Regulatory Services, Ms P Banks; Executive Manager Waste and Capital Works, Mr N Kleine; Executive Manager Finance, Mr R Holden; Executive Manager Corporate Services, Ms S Matthews; Manager Design, Development & Projects, Mr D Lelekis; Media & Communications Advisor, Ms J de Gault; Coordinator Governance, Mrs P Hart.

APOLOGY: Member R Want de Rowe.

GUESTS: Representatives from the Department of Local Government, Housing and Community Development were in attendance from 5.30pm to brief the Council on the Draft Burial and Cremation Bill.

MEDIA: NT News, Mr Will Zwar; Channel 9, Ms Lily Greer; ABC Radio Ms Shanelle Miller.

WEBCASTING DISCLAIMER

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

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1. ACKNOWLEDGEMENT OF COUNTRY**2. THE LORD'S PRAYER****3. MEETING DECLARED OPEN**

The Chair declared the meeting open at 5.36pm.

4. APOLOGIES AND LEAVE OF ABSENCE

Common No. 2695036

4.1 Apologies

(Glover/Bouhoris)

THAT the apology from Member R Want de Rowe be received.

DECISION NO.22\1348 (12/03/19)

Carried

4.2 Leave of Absence Granted

Nil

4.3 Leave of Absence Requested

(Knox/Glover)

A. THAT a Leave of Absence be retrospectively granted for The Right Worshipful, The Lord Mayor Kon Vatskalis for the period 1 - 3 March 2019.

B. THAT a Leave of Absence be retrospectively granted for Member A Arthur for the period 9-11 March 2019.

C. THAT a Leave of Absence be granted for Member P Pangquee for the period 14-18 March 2019.

DECISION NO.22\1349 (12/03/19)

Carried

5. ELECTRONIC MEETING ATTENDANCE

Common No. 2221428

5.1 Electronic Meeting Attendance Granted

Nil

5.2 Electronic Meeting Attendance Requested

Nil

6. DECLARATION OF INTEREST OF MEMBERS AND STAFF

Common No. 2752228

6.1 Declaration of Interest by Members

(Glover/Haslett)

THAT Council note that pursuant to Section 73 & 74 of the Local Government Act, Member J Bouhoris declared a Conflict of Interest in Item 15.1.

DECISION NO.22\1350 (12/03/19) Carried

6.2 Declaration of Interest by Staff

(Young/Bouhoris)

THAT Council note that pursuant to Section 107 of the Local Government Act, Melissa Reiter declared a Conflict of Interest in Item 15.1.

DECISION NO.22\1351 (12/03/19) Carried

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S

Common No. 1955119

7.1 Confirmation of the Previous Ordinary Council Meeting

(Knox/Pangquee)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 26 February 2019, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.22\1352 (12/03/19) Carried

7.2 Confirmation of the Previous Confidential Ordinary Council Meeting

With the consent of the Council, the Decisions arising from this item were moved from the Confidential Section into the Open Section of the Minutes.

(Niblock/Haslett)

- A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 26 February 2019 be received and confirmed as a true and correct record of the proceedings of that meeting.
- B. THAT this decision be moved into Open.

DECISION NO.22\1353 (12/03/19) Carried

7.3 Business Arising

Nil

8. MATTERS OF PUBLIC IMPORTANCE

Nil

Member S J Cullen joined the meeting at 5.48pm.

9. DEPUTATIONS AND BRIEFINGS**9.1 Department of Local Government, Housing and Community Development - Draft Burial and Cremation Bill**

Common No. 3728992

Representatives from the Department of Local Government, Housing and Community Development were in attendance from 5.40pm to brief the Council on the Draft Burial and Cremation Bill.

(Haslett/Knox)

THAT the presentation from Department of Local Government, Housing and Community Development in relation to the Draft Burial and Cremation Bill be received and noted.

DECISION NO.22\1354 (12/03/19) Carried

9.2 Nightcliff Foreshore Restaurant - Upgrade Proposal

The representatives from the Nightcliff Foreshore Restaurant were unable to attend and the presentation was rescheduled.

10. PUBLIC QUESTION TIME

Nil

11. CONFIDENTIAL ITEMS

Common No. 1944604

11.1 Closure to the Public for Confidential Items

(Palmer/Bouhoris)

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the following Confidential Items:-

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C23.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C24.1	8(e)	information provided to the council on condition that it be kept confidential
C26.1.1	8(c)(iii)	information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff
C26.1.2	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C26.1.3	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C26.2.1	8(e)	information provided to the council on condition that it be kept confidential
C26.2.2	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C27.1	8(e)	information provided to the council on condition that it be kept confidential

DECISION NO.22\1355

(12/03/19)

Carried

11.2 Moving Open Items Into Confidential

Nil

11.3 Moving Confidential Items Into Open

(Knox/Glover)

THAT the following Confidential Items be moved into Open, (report and attachments), and be considered as Items:

Confidential Item	Open Item
C26.1.3	14.1.7

DECISION NO.22\1356 (12/03/19) Carried

12. PETITIONS

Nil

13. NOTICE(S) OF MOTION

13.1 Offensive Merchandise at Family Market

Common No. 3999585

(Knox/Niblock)

- A. THAT Council seek legal advice on what conditions apply to activities conducted on Council land leased for events, specifically the Nightcliff market lease.
- B. That Council, subject to the above advice, request Nightcliff Market Association remove material displaying CUinNT from public view.

Continued on next page.

13.1 Offensive Merchandise at Family Market

Common No. 3999585

Amendment

(Glover/Haslett)

- A. THAT Council implement By-Laws Part 4 Division 9, 117 (2c):
Obligations of stallholders associations.
(2) A stallholders association, in the conduct and operation of a market, shall not:
 - (c) Allow the market or stalls within the market to be conducted in a manner that is or maybe offensive to persons in or in the vicinity of the market.
- B. That Council request all markets on Council land including Nightcliff and Mindil Beach Market Associations to comply with Part 4 Division 9, 117 (2c) of the By-Laws and remove CU in the NT material.

Carried 7/5

Substantive Motion

(Knox/Niblock)

- A. THAT Council implement By-Laws Part 4 Division 9, 117 (2c):
Obligations of stallholders associations.
(2) A stallholders association, in the conduct and operation of a market, shall not:
 - (c) Allow the market or stalls within the market to be conducted in a manner that is or may be offensive to persons in or in the vicinity of the market.
- B. That Council request all markets on Council land including Nightcliff and Mindil Beach Market Associations to comply with Part 4 Division 9, 117 (2c) of the By-Laws and remove CU in the NT material.

DECISION NO.22\1357

(12/03/19)

6/6

There being an equality of votes for and against the motion, the Lord Mayor, having voted in the Affirmative with his deliberative vote, exercised his Casting Vote to Carry the Motion.

ACTION: GENERAL MANAGER INNOVATION

Member R M Knox called for a division.

AFFIRMATIVE	NEGATIVE
Pangquee	Bouhoris
Glover	Young
Lord Mayor	Palmer
Knox	Lambrinidis
Haslett	Arthur
Niblock	Cullen

14.1 OFFICERS REPORTS (ACTION REQUIRED)

14.1.1 East Point Reserve Vehicle Access Restrictions

Report No. 19C0122 JL:es (12/03/19) Common No. 3665059

(Haslett/Bouhoris)

- A. THAT Report Number 19C0122 JL:es entitled East Point Reserve Vehicle Access Restrictions be received and noted.
- B. THAT Council endorse the consultation and investigation of the feasibility of reduced vehicle access to East Point Reserve, as outlined in Report Number 19C0122 JL:es entitled East Point Reserve Vehicle Access Restrictions.
- C. THAT after further investigation a report outlining recommendations on Vehicle Access to East Point Reserve be presented to Council for consideration.

DECISION NO.22\1358

(12/03/19)

Carried unanimously

ACTION: SENIOR CLIMATE CHANGE AND ENVIRONMENTAL OFFICER

NOTE: GENERAL MANAGER COMMUNITY

14.1.2 Proposed Third Storage Shed at Lake Alexander

Report No. 19C0123 CB:kl (12/03/19) Common No. 3991799

(Haslett/Knox)

- A. THAT Report Number 19C0123 CB:kl entitled Proposed Third Storage Shed at Lake Alexander, be received and noted.
- B. THAT Council approve the erection of a third storage shed at Lake Alexander by Darwin Triathlon Club, Triathlon NT and Australia Sailing in accordance with Report Number 19C0123 CB:kl entitled Proposed Third Storage Shed at Lake Alexander, subject to the following:
- a. That Darwin Triathlon Club, Triathlon NT and Australia Sailing be responsible for obtaining all necessary government and non-government permits and approvals related to the erection of the storage shed.
 - b. That the erection of the storage shed be to the technical specifications and requirements of the General Manager Engineering and City Services.
 - c. That all costs associated with construction including earthworks and site remediation is at Darwin Triathlon Club, Triathlon NT and Australia Sailing's expense.
 - d. That Darwin Triathlon Club, Triathlon NT and Australia Sailing will be responsible for ensuring a tree protection plan is in place during construction.
 - e. That, on completion, the storage shed will be the property of City of Darwin, and Darwin Triathlon Club as head stakeholder, will be issued a permit to occupy for a five year period.
 - f. That Darwin Triathlon Club as head stakeholder will be charged the cost of power and water use at the storage shed.
 - g. That Darwin Triathlon Club will develop a memorandum of understanding providing Triathlon NT and Australian Sailing occupancy of the shed.

DECISION NO.22\1359

(12/03/19)

Carried unanimously

ACTION: RECREATION AND LEISURE COORDINATOR

NOTE: GENERAL MANAGER COMMUNITY

14.1.3 Access and Inclusion Plan (2019-2022)

Report No. 19C0115 SG:es (12/03/19) Common No. 1041889

(Niblock/Cullen)

- A. THAT Report Number 19C0115 SG:es entitled Access and Inclusion Plan (2019-2022) be received and noted.
- B. THAT Council endorse the City of Darwin Access and Inclusion Plan 2019- 2022 at **Attachment A** to Report Number 19C0115 SG:es entitled Access and Inclusion Plan (2019-2022).
- C. THAT the City of Darwin Access and Inclusion Plan (2019-2022) at **Attachment A** to Report Number 19C0115 SG:es entitled Access and Inclusion Plan (2019-2022), be lodged with the Australian Human Rights Commission.

DECISION NO.22\1360

(12/03/19)

Carried unanimously

ACTION: EXECUTIVE MANAGER ENVIRONMENT AND COMMUNITY

NOTE: GENERAL MANAGER COMMUNITY

14.1.4 Asset Management Plans

Report No. 18CO0054 DL:dc (12/03/19) Common No. 1713107

(Young/Cullen)

- A. THAT Report Number 18CO0054 DL:dc entitled Asset Management Plans, be received and noted.
- B. THAT Council rescind the current policy and adopt Policy No. 055 - Asset Management, as amended, at **Attachment A** to Report Number 18CO0054 DL:dc entitled Asset Management Plans.
- C. THAT Council rescind the following policies at **Attachment B** to Report Number 18CO0054 DL:dc entitled Asset Management Plans, noting that these policies are to be superseded by the adoption of Asset Management Plans and associated processes/procedures/guidelines, subject to and after these documents are in place:
- a. Policy 010 - Land Acquisition and Disposal
 - b. Policy 012 - Plant and Equipment
 - c. Policy 022 - Statement of Significant Accounting Policies
 - d. Policy 048 - Footpaths and Shared Paths
 - e. Policy 049 - Roads
 - f. Policy 056 - Walkways
- D. THAT Council endorse the Buildings and Structures Asset Management Plan at **Attachment C** to Report Number 18CO0054 DL:dc entitled Asset Management Plans.

DECISION NO.22\1361

(12/03/19)

Carried unanimously

ACTION: MANAGER OF DESIGN, DEVELOPMENT AND PROJECTS

NOTE: GENERAL MANAGER ENGINEERING AND CITY SERVICES

14.1.5 Council's Roads to Recovery Funding Allocation for 2019/20 to 2023/24

Report No. 19CO0059 DL:dc (12/03/19) Common No. 3956209

(Lambrinidis/Pangquee)

- A. THAT Report Number 19CO0059 DL:dc entitled Council's Roads to Recovery Funding Allocation for 2019/20 to 2023/24 be received and noted.
- B. THAT Council endorse the completion of the balance of the Lakeside Drive, Alawa reconstruction project for submission to the Australian Government's 2019/20 to 2023/24 Roads to Recovery Programme as its first project for the utilisation of an estimated \$2.5 million of the allocated funding.

DECISION NO.22\1362 (12/03/19) Carried unanimously

ACTION: MANAGER OF DESIGN, DEVELOPMENT AND PROJECTS
NOTE: GENERAL MANAGER ENGINEERING AND CITY SERVICES

14.1.6 Adoption of City of Darwin Policy No. 088 - Unsolicited Proposals

Report No. 19CP0148 (12/03/19) Common No. 3756573

(Palmer/Lord Mayor)

- A. THAT Report Number 19CP0148 entitled Adoption of City of Darwin Policy No. 088 - Unsolicited Proposals, be received and noted.
- B. THAT Council adopt City of Darwin Policy No. 088 Unsolicited Proposals, provided at **Attachment A** to Report Number 19CP0184 entitled Adoption of City of Darwin Policy No. 088 - Unsolicited Proposals

DECISION NO.22\1363 (12/03/19) Carried unanimously

ACTION: MANAGER STRATEGY
NOTE: EXECUTIVE MANAGER CORPORATE SERVICES
NOTE: GM CORPORATE SERVICES

14.1.7 Taipei 2019 Smart City Summit & Expo

Report No. 19CF0117 JS:nt (12/03/19) Common No. 3711286

With the consent of the Council this item was moved from Confidential into Open.

(Glover/Haslett)

- A. THAT Report Number 19CF0117 JS:nt entitled Taipei 2019 Smart City Summit & Expo, be received and noted.

- B. THAT Council approve the overseas travel to visit Taipei to attend the Smart City Summit and Forum for the General Manager Innovation, Growth and Development Services and Alderman Bouhoris.

DECISION NO.22\1364

(12/03/19)

Carried unanimously

ACTION: GENERAL MANAGER INNOVATION

NOTE: EA TO LORD MAYOR

14.1.8 2018/19 Fees and Charges Amendment - Significant National Events

Report No. 19CE0068 SW:jg (12/03/19) Common No. 3020893

With the consent of the Council this late item was admitted and considered as the next item of business.

With the consent of the Council, the Decisions arising from this item were moved from the Confidential Section into the Open Section of the Minutes.

(Bouhoris/Lambrinidis)

- A. THAT Report Number 19CE0068 SW:jg entitled 2018/19 Fees and Charges Amendment - Significant National Events, be received and noted.
- B. THAT Council amend the current adopted Fees and Charges for the 2018/19 Financial Year.
- C. THAT a new charge for the Mindil Beach Carnival Area be introduced and adopted as part of the amendment to the Fees and Charges for the 2018/19 Financial Year.
- D. THAT the new charge introduced for Significant National Level Events at the Mindil Beach Carnival Area catering for 1000 attendees or greater be adopted at \$7700.00 per event inclusive of GST, to reflect the impact that large scale events have on the environment and requirements of Council in assisting to deliver these events
- E. THAT this decision be moved into open

DECISION NO.22\1365

(12/03/19)

Carried unanimously

ACTION: REVENUE SUPERVISOR

NOTE: EXECUTIVE MANAGER FINANCE

NOTE: EVENTS

14.2 OFFICERS REPORTS (RECEIVE & NOTE)

Nil

Member J Bouhoris and the General Manager Government Relations & External Affairs declared an interest in Item 15.1 and departed the meeting at 7.05pm

15. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

15.1 Incoming Letter - Helping People Achieve - Request for Consideration of Funding Support for Shoal Bay Workplace Safety Mitigation

(12/03/19) Common No. 3999213

(Young/Pangquee)

THAT the incoming letter from Helping People Achieve regarding a request for consideration of funding support for Shoal Bay workplace safety mitigation be received and noted.

DECISION NO.22\1366 (12/03/19) Carried unanimously

Member J Bouhoris and the General Manager Government Relations & External Affairs re-joined the meeting at 7.06pm

Member M Palmer departed the meeting at 7.07pm

16. REPORTS OF REPRESENTATIVES

Common No. 1735503

(Niblock/Glover)

THAT the following Reports of Representatives be received and noted.

DECISION NO.22\1367 (12/03/19) Carried

16.1 NT Water Safety Advisory Council

Member R M Knox reported on her attendance at the NT Water Safety Advisory Council meeting and commended the group on the work that they undertake. She noted that there are stinger signs missing on Nightcliff beach and they need to be replaced, particularly as the lifesavers speak to a lot of people who are new to the NT who are not aware of the danger.

Member M Palmer re-joined the meeting at 7.09pm.

17. QUESTIONS BY MEMBERS

(Young/Lambrinidis)

THAT the following Questions by Members be received and noted.

DECISION NO.22\1368 (12/03/19) Carried

17.1 Electric Vehicle Charging Points

Common No. 3935344

Member R M Knox asked whether Electric Vehicle charging points are in the Smart City Design, and will Council be including any incentives such as free parking for Electric Vehicles?

The Chief Executive Officer responded and advised that the charging points are not included in this project. The scope was very specific about types of technology applied for in the grant and to be delivered. Following Switching on Darwin Council will move to #smartdarwin and this will look at the ongoing strategy: including delivering the charging points. This will need to be delivered in consultation with Power Water Corporation.

17.2 Tambling Terrace, Wanguri

Common No. 3134026

Member G Lambrinidis noted that at a previous meeting he raised the crossing point on Tambling Terrace, Wanguri, noting that many children from Lyons attend Wanguri School and need to cross this busy road. Funding was to be included in the 2018/19 budget but when he queried this recently with officers he was advised that funds are not available. Can this please be investigated?

The General Manager Engineering took the question on notice.

ACTION: GENERAL MANAGER ENGINEERING

18. GENERAL BUSINESS**18.1 Walkway 215 - Watts Street/Ludmilla Primary School, Ludmilla**

Common No. 4004065

(Young/Bouhoris)

THAT Council investigate a trial night time closure of Walkway 215 - Watts Street/Ludmilla Primary School, Ludmilla to mitigate antisocial behaviour issues.

DECISION NO.22\1370 (12/03/19) Carried unanimously

ACTION: EXECUTIVE MANAGER COMMUNITY

NOTE: GENERAL MANAGER COMMUNITY

18.2 Appointment of Acting Deputy Lord Mayor 13 - 17 March 2019

Common No.375173

(Cullen/Lambrinidis)

THAT in accordance with Part 4.3 of the Local Government Act, Alderman R M Knox be appointed as Acting Deputy Lord Mayor for the period 13-17 March 2019.

DECISION NO.22\1369

(12/03/19)

Carried unanimously

ACTION: COORDINATOR GOVERNANCE

18.3 Men's Shed

Member R M Knox noted that she attended the Open Day of the Men's Shed located at the old Casuarina Fire Station. It houses a well-equipped workshop and also includes a digital literacy area. The digital literacy trainer is keen to work with our libraries to deliver Commonwealth funded digital literacy training to seniors.

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

Common No. 2695130

(Bouhoris/Young)

THAT the next Ordinary Meeting of Council be held on Tuesday, 26 March 2019, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

DECISION NO.22\1371

(12/03/19)

Carried

20. CLOSURE OF MEETING TO THE PUBLIC

Common No. 2695131

(Arthur/Young)

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the Confidential Items of the Agenda.

DECISION NO.22\1372

(12/03/19)

Carried

21. ADJOURNMENT OF MEETING AND MEDIA LIAISON

Common No. 2695132

(Lord Mayor/Young)

THAT the meeting be adjourned at 7.15pm for 5 minutes to enable the Media to liaise with the Lord Mayor.

DECISION NO.22\1374

(12/03/19)

Carried

The meeting moved to the Confidential Section at 7.16pm.

**THE RIGHT WORSHIPFUL, LORD
MAYOR, K VATSKALIS (CHAIR) –
ORDINARY COUNCIL MEETING –
TUESDAY, 12 MARCH 2019**

Confirmed On: Tuesday, 26 March 2019

Chair: _____