



## **AGENDA**

### **CEMETERY BOARD MEETING**

**15<sup>th</sup> SEPTEMBER 2020**

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A handwritten signature in black ink, appearing to read 'Anna Malgorzewicz', written in a cursive style.

Signed: Anna Malgorzewicz, Chief Executive Officer

# AGENDA

## CEMETERY BOARD MEETING

TO BE HELD IN THE COUNCIL CHAMBERS, BATCHELOR

ON TUESDAY 15<sup>th</sup> SEPTEMBER 2020

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President of the Shire Council Andrew Turner will declare the meeting open at 5:00pm and welcome all in attendance.

### 1 PERSONS PRESENT

#### BOARD MEMBERS PRESENT

Councillor	President Andrew Turner
Councillor	Vice President Max Corliss
Councillor	Sharon Beswick
Councillor	Sue Bulmer
Councillor	Christian McElwee
Councillor	Deborah Moyle

#### STAFF PRESENT

Chief Executive Officer	Anna Malgorzewicz
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#### VISITORS PRESENT

Ethan Redshaw	Local Government and Community Development Department of the Chief Minister and Cabinet
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## 2 APOLOGIES AND LEAVE OF ABSENCE

<b>Applicant:</b>	N/A
<b>Location/Address:</b>	N/A
<b>File Ref:</b>	N/A
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	15 <sup>th</sup> September 2020
<b>Author:</b>	Anna Malgorzewicz, Chief Executive Officer
<b>Attachments:</b>	Nil

### SUMMARY

This report is to table, for the Board's record, any apologies and requests for leave of absence received from Board Members for the Cemetery Board Meeting held on 15<sup>th</sup> September 2020.

### BACKGROUND

Not applicable.

### COMMENT

The Board can choose to accept the apologies or requests for leave of absence as presented, or not accept them. Apologies or requests for leave of absence that are not accepted by the Board will be recorded as absence without notice.

### CONSULTATION

Not applicable.

### STATUTORY ENVIRONMENT

As per the Local Government Act s.39 (1) A person ceases to hold office as a member of a Council if the person:

(d) is absent, without permission of the Council, from 2 consecutive ordinary meetings of the Council.

### POLICY IMPLICATIONS

Not applicable.

### FINANCIAL IMPLICATIONS

Not applicable.

### VOTING REQUIREMENT

Simple majority.

### RECOMMENDATION

That the Board receive and note the apologies for the Cemetery Board Meeting held 15<sup>th</sup> September 2020.

**Moved:** Clr.

**Seconded:** Clr.

### 3 ELECTRONIC MEETING ATTENDANCE

<b>Applicant:</b>	N/A
<b>Location/Address:</b>	N/A
<b>File Ref:</b>	N/A
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	15 <sup>th</sup> September 2020
<b>Author:</b>	Anna Malgorzewicz, Chief Executive Officer
<b>Attachment:</b>	Nil

#### **SUMMARY**

This report is to table, for the Board's record, any requests for Electronic Attendance.

#### **BACKGROUND**

Nil

#### **COMMENT**

The *Local Government Act 2008* and *2019* provides for a member who is not physically present at a meeting is taken to be present at the meeting if:

- (a) the member's attendance at the meeting by means of an audio or audiovisual conferencing system is authorised in accordance with a council resolution establishing a policy for attendance in such a manner.

#### **CONSULTATION**

Nil

#### **STATUTORY ENVIRONMENT**

*Local Government Act 2008* s61 (Procedure at meeting).

*Local Government Act 2019* s95 (Procedure at meeting).

#### **POLICY IMPLICATIONS**

Council Policy 1.12 Meetings of Council

#### **FINANCIAL IMPLICATIONS**

Nil

#### **VOTING REQUIREMENTS**

Simple Majority

## RECOMMENDATION

That the Board acknowledges and accepts for member Clr/s \_\_\_\_\_ to attend the meeting of 15<sup>th</sup> September 2020 via electronic means.

**Moved:** Clr.

**Seconded:** Clr.

## 4 DECLARATION OF INTEREST OF MEMBERS OR STAFF

<b>Applicant:</b>	N/A
<b>Location/Address:</b>	N/A
<b>File Ref:</b>	N/A
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	15 <sup>th</sup> September 2020
<b>Author:</b>	Anna Malgorzewicz, Chief Executive Officer
<b>Attachments:</b>	Nil

## SUMMARY

**Board Members** are required to disclose an interest in a matter under consideration by the Board at a meeting of the Council or a meeting of a Council Board by:

- 1) In the case of a matter featured in an officer's report or written agenda item by disclosing the interest to the Council by disclosure as soon as possible after the matter is raised.
- 2) In the case of a matter raised in general debate or by any means other than the printed agenda of the Council by disclosure as soon as possible after the matter is raised. The Council may elect to allow the Member to provide further and better particulars of the interest prior to requesting him/her to leave the Chambers.

**Staff Members** of the Council are required to disclose an interest in a matter at any time at which they are required to act or exercise their delegate authority in relation to the matter. Upon disclosure the Staff Member is not to act or exercise his or her delegated authority unless the CEO or Acting CEO expressly directs him or her to do so.

## BACKGROUND

Not applicable.

## COMMENT

Not applicable.

## CONSULTATION

Not applicable.

## STATUTORY ENVIRONMENT

Local Government Act s73 & s74 (Elected Members).

Local Government Act (2008) s107 Conflict of interest (Staff Members).

#### **POLICY IMPLICATIONS**

Conflict of Interest – Code of Conduct.

#### **FINANCIAL IMPLICATIONS**

Not applicable.

#### **VOTING REQUIREMENT**

Simple majority.

#### **RECOMMENDATION**

That the Board receives the declarations of interest as listed for the Cemetery Board Meeting held 15<sup>th</sup> September 2020

**Moved:** Clr.

**Seconded:** Clr.

#### **5 CONFIRMATION OF MINUTES**

CONFIRMATION OF PREVIOUS MINUTES FOR THE CEMETERY COMMITTEE MEETING OF 16<sup>th</sup> JUNE 2020

<b>Applicant:</b>	N/A
<b>Location/Address:</b>	N/A
<b>File Ref:</b>	N/A
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	15 <sup>th</sup> September 2020
<b>Author:</b>	Anna Malgorzewicz CEO
<b>Attachments:</b>	Minutes 15th June 2020

#### **SUMMARY**

Minutes of the Cemetery Board Meeting held on 15<sup>th</sup> June 2020 are submitted to the Board for confirmation that those Minutes are a true and correct record of the meetings.

#### **BACKGROUND**

Not applicable.

#### **COMMENT**

Not applicable.

#### **CONSULTATION**

Not applicable.

#### **STATUTORY ENVIRONMENT**



The Minutes as submitted must comply with part section 67(2) Local Government Act 2011 and that confirmation of Minutes is compliant with section 67(3) of the Local Government Act 2011.

#### **POLICY IMPLICATIONS**

Not applicable.

#### **FINANCIAL IMPLICATIONS**

Not applicable.

#### **VOTING REQUIREMENT**

Simple majority.

#### **RECOMMENDATION**

That the Minutes of the Cemetery Board Meeting held on 15<sup>th</sup> June 2020 be received and noted by Council.

**Moved:** Clr.

**Seconded:** Clr.

## **6 REPORTS**

### **6.1 COLUMBARIUM – REQUIREMENT FOR ADDITIONAL NICHE WALL**

<b>Date:</b>	15 September 2020
<b>Author:</b>	Aleyshia McGrigor, Senior Administration Officer Anna Malgorzewicz, Chief Executive Officer
<b>Attachment:</b>	Niche Wall Technical Sketch

#### **PURPOSE**

The niche wall at Council's Coomalie Bush Cemetery is quickly nearing capacity. Council is required to make a decision on the construction of a new niche wall.

#### **BACKGROUND AND PREVIOUS DECISIONS**

Council's current and sole niche wall at the Coomalie Bush Cemetery was constructed in 2004 and has a capacity for 40 recesses. There is currently only 3 available. The 3 remaining spaces are all located at the bottom of the niche wall, which does lay within a flood zone and on a rare but possible extreme flooding event could become inundated by flooding.

#### **COMMENT**

A niche wall has been designed consisting of concrete blocks with appropriately sized niches, (36 no.).

The plan was sent to a structural engineer for comments and a local contractor for preliminary costing.

The structural engineer advised that blocks were not suitable due to the size and location of the reinforcement required. The contractor advised that the costs would be in the order of \$20,000 (GST Excl).

The structure was altered to be a concrete structure. This was forwarded to a concreter for costing.

The costs for the structure was \$13,950.00 (GST Excl.) and the Structural Engineers costs would be \$900.00 (GST Excl).

The main comment from contractors is the distance involved in working at Adelaide River.

Currently we are exploring reducing the size (but retaining the same number of niches) and having the works quoted on the basis of the structure being constructed at the company's yard in Darwin and transported to Adelaide River as a single unit, thus minimising costs.

### **CONSULTATION**

Carol Gaulke, Projects Manager

Aleyshia McGrigor, Senior Administration Officer

Emma Dunne, Operations Supervisor

Litchfield Council – Thorak Regional Cemetery

### **STATUTORY ENVIRONMENT/POLICY IMPLICATIONS**

4.2 Coomalie Bush Cemetery

### **FINANCIAL IMPLICATIONS**

Council has allocated \$8,000 in 2020/21 budget to meet the costs of the niche wall. A budget variation may be required.

### **RECOMMENDATION**

That the Board receives and notes the update report regarding the Columbarium – Requirement for An Additional Niche Wall.

**Moved:**            **Clr.**

**Seconded:**      **Clr.**

## 6.2 COOMALIE BUSH CEMETERY – REVISION OF POLICY, PROCEDURE AND DELEGATIONS

<b>Date:</b>	15 September 2020
<b>Author:</b>	Anna Malgorzewicz, Chief Executive Officer
<b>Attachment:</b>	Delegation Example

### PURPOSE

To update the Board on progress regarding the revision to Coomalie Bush Cemetery policies, procedures, and delegations.

### BACKGROUND AND PREVIOUS DECISIONS

The Chief Executive Officer and Senior Administration Officer met with the Manager, Legislation and Policy and Senior Policy Officer, Department of Local Government, Housing and Community Development (DLGHCD) in August to discuss compliance matters relating to the Coomalie Bush Cemetery.

### COMMENT

Officers from DLGHCD were requested to review policy and procedure for the management and administration of the Coomalie Bush Cemetery. A number of issues were identified that require addressing by the Board. For example, the concept of exclusive rights has been incorrectly applied to niches in the Columbarium. Exclusive rights is a concept that is intended for reserving allotments used for the *burial* of human remains and not cremated remains. The suggestion is that the Board consider utilising the concept of “reservation”. The Board then has more flexibility to adopt a policy providing for various practical matters, such as expiry of the reservation after a certain timeframe (e.g. 25 years if not used, with the ability to renew the reservation on the payment of a fee).

Policy and procedure also refers to sections in the Bush Cemetery, for example “Garden of Angels”, that have not been established.

Council officers will continue to work with Departmental staff to revise all policy and procedures for review by the Board at its next meeting. This will ensure all documentation complies with the current *Cemeteries Act 1952* and meets the anticipated compliance needs per the Draft Northern Territory Burial and Cremation Bill.

There are also a number of matters that require delegation to the Chief Executive Officer or the “Registrar”. An example delegation is attached for the Board’s information. A further report will be presented to the Board’s next meeting to delegate some powers and functions to either the Chief Executive Officer or the “Registrar” as per all relevant legislation.

### CONSULTATION

Department of Local Government, Housing and Community Development

### STATUTORY ENVIRONMENT/POLICY IMPLICATIONS

*Cemeteries Act 1952*

*Local Government Act 2008*

## **FINANCIAL IMPLICATIONS**

Nil

### **RECOMMENDATION**

That the Board receives and notes the Coomalie Bush Cemetery – Revision of Policy, Procedure and Delegations report.

**Moved:**            **Clr.**

**Seconded:**       **Clr.**

## **7 GENERAL BUSINESS**

Nil

## **8 NEXT MEETING**

The next Cemetery Board Meeting of Coomalie Community Government Council will be held on Tuesday 15<sup>th</sup> December 2020 in the Council Chambers.

## **9 CLOSURE OF MEETING**