

# LITCHFIELD COUNCIL



*Community effort is essential*

## Thorak Regional Cemetery Board Meeting **BUSINESS PAPER** **WEDNESDAY 17/01/2018**

Meeting to commence following the Litchfield Council Meeting at  
6:30pm  
In Council Chambers at 7 Bees Creek Road, Freds Pass

**Kaylene Conrick, Chief Executive Officer**

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.



## THORAK REGIONAL CEMETERY BOARD MEETING

**Notice of Meeting  
to be held in the Council Chambers, Litchfield  
on Wednesday, 17 January 2018**

Kaylene Conrick  
Chief Executive Officer

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Number	Agenda Item
1	Opening of Meeting
2	Apologies and Leave of Absence
3	Disclosures of Interest
4	Confirmation of Minutes THAT the minutes of the Thorak Regional Cemetery Board Meeting held 13 December 2017, 3 pages, be confirmed.  Minutes have been distributed under separate cover and are publicly available on Council's website <a href="http://www.litchfield.nt.gov.au/council/council-meetings/council-minutes">http://www.litchfield.nt.gov.au/council/council-meetings/council-minutes</a> or in hard copy by request.
5	Business Arising from the Minutes
6	Accepting or Declining Late Items
7	Notices of Motion
8	Officers Reports 8.1 Finance Report – December 2017 8.2 Thorak Cemetery Quarterly Report, October - December 2017 8.3 Floral and Ornamental Tributes Policy 8.4 Delegations to the CEO
9	Other Business
10	Confidential Items
11	Next Meeting
12	Close of Meeting



# BOARD REPORT

<b>Agenda Item Number:</b>	8.1
<b>Report Title:</b>	Thorak Regional Cemetery Finance Report – December 2017
<b>Report Number:</b>	18/0010
<b>Meeting Date:</b>	17/01/2018
<b>Attachments:</b>	Nil

## Purpose

The purpose of this report is to present the monthly financial report for Thorak Regional Cemetery for the period ended 31 December 2017.

## Recommendation

THAT the Thorak Regional Cemetery Board receive and note the finance report for the period ended 31 December 2017.

## OPERATING RESULT

To date Thorak Regional Cemetery has completed 153 internments and cremations, an increase from the same time last year. Below provides a comparison with the same report period last year:

Activity	July – December 2016	July – December 2017	Difference
Burials	48	57	9
Cremations	80	96	16
	<b>128</b>	<b>153</b>	<b>25</b>

Revenue is forecasted to be \$53,342 higher than anticipated in the 2017/18 budget.

In terms of expenses, insurance premiums and administration fee have been recognised for the full year and employee expenses are approximately \$45k lower than budget at this stage of the financial year due to the reduced groundsmen staffing trial and an earlier vacancy, which has now been filled.

No capital revenue has been received to date.

Capital expenditure of \$7,358 has occurred for the supply and installation of a road culvert. Works were undertaken to address public safety concerns. Microwave links between Thorak Regional Cemetery and Litchfield Council Office are also an area of concern with an amount of \$17,892 forecasted to be spent on upgrading the connection prior to 30 June 2018. The existing microwave links have been damaged through lightning strikes. The above mentioned expense might increase depending on the outcome of the insurance claim.

## OPERATIONAL RESULTS

	2017/18 YTD Actuals	2017/18 Budget	2017/18 Forecast	Variance +ve (-ve)	Note
<b>REVENUE</b>					
User Fees and Charges	530,617	725,125	778,467	53,342	1
<b>TOTAL REVENUE</b>	<b>530,617</b>	<b>725,125</b>	<b>778,467</b>	<b>53,342</b>	
<b>EXPENSES</b>					
Contractors	39,424	84,800	110,653	(25,853)	2
Materials	133,942	189,210	202,363	(13,153)	3
Other Expenses	17,211	26,600	31,967	(5,367)	4
Employee Costs	193,163	491,045	446,045	45,000	5
<b>TOTAL EXPENSES</b>	<b>383,740</b>	<b>791,655</b>	<b>791,028</b>	<b>627</b>	
<b>TOTAL</b>	<b>146,877</b>	<b>(66,530)</b>	<b>(12,561)</b>	<b>53,969</b>	

### Explanations for Variances to Original Budget

**Note 1** – Increase in User Fees mainly as a result of the introduction of the Administration fee for all non-residence of the Litchfield Municipality.

**Note 2** – Increase in contractor costs due to numerous works actioned for Tree Risk Assessments, Policy Development and Legal Fees.

**Note 3** – Increase in Gas Charges with the influx of Cremations ceremonies.

**Note 4** – Unexpected Machinery repairs on the Hino truck, Polaris and Backhoe.

**Note 5** – Reduction in Employee costs at Thorak Regional Cemetery.

## CAPITAL RESULTS

The 2017/18 net capital expenditure relates to the supply and installation of a road culvert on the main verge due to public safety concerns and the replacement of Thorak Cemetery's microwave link between Litchfield Council and the Cemetery.

	2017/18 YTD Actuals	2017/18 Budget	2017/18 Forecast	Variance +ve (-ve)
<b>REVENUE</b>				
Thorak Regional Cemetery	-	-	-	-
<b>TOTAL REVENUE</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>EXPENSES</b>				

Thorak Regional Cemetery	7,358	-	25,250	(25,250)
<b>TOTAL EXPENSES</b>	<b>7,358</b>	<b>-</b>	<b>25,250</b>	<b>(25,250)</b>
<b>TOTAL</b>	<b>(7,358)</b>	<b>-</b>	<b>(25,250)</b>	<b>(25,250)</b>

## CASH & INVESTMENTS

Date Invested	Invested Amount	Days Invested	Invested with	Interest Rate	Maturity Date	Return
29/06/2017	418,032	365	Bendigo	2.75%	29/06/2018	11,496

## DEBTORS

Total Sundry Debtors at 31 December 2017 are \$60,280. The majority of outstanding debtors are with the three funeral service providers.

Category	Current	30 Days	60 Days	90 Days and over	Balance
Cemetery	\$44,039	\$14,869	\$0	\$1,372	\$60,280
% of TOTAL DEBTORS	73.1%	24.7%	0.0%	2.2%	

**Action summary of 90 Days Debtors:** \$1,372.00

Two invoices relate to 90 days and over. Reminder notices have been sent on numerous occasions.

### Invoice #1

The debt recovery process was implemented for the outstanding amount of \$1,082 and a payment plan has commenced.

### Invoice #2

The debt recovery process has also commenced for the outstanding amount of \$290.



## CEMETERY FINANCIAL RESERVE




The Thorak Regional Cemetery Reserve balance, as at 30 June 2018, is forecast to be \$174,233.

	Balance as at 1/7/2017	Forecast TO Reserve	Forecast FROM Reserve	Forecast Net Movement	Forecast Balance as at 30/06/2018
Cemetery Reserve	212,044	-	(37,811)	(37,811)	174,233

## THORAK CEMETERY KEY PERFORMANCE INDICATORS (KPI)

The table below tracks the KPI's for the Thorak Regional Cemetery as set out in the 2017/18 Municipal Plan.

Key Performance Indicator	Target	Status	Comment
Compliance with Cemetery Regulations	100%		
Achievement of Operational Budget	100%		

-  KPI met
-  KPI in progress, on track
-  KPI not met

### Links with Strategic Plan

An effective and sustainable Council.

### Legislative and Policy Implications

Local Government (Accounting) Regulations and the Northern Territory Cemeteries Act.

### Risks

There are long term financial sustainability challenges in relation to the renewal and upgrade of existing assets including buildings, road and irrigation infrastructure.

### Financial Implications

To date, the Administration Charge has raised additional revenue totalling \$34,427. The Board monitors all revenue and expenditure levels closely, with the final workings of a budget review taking place. Budget Review results are forecasted and will be reported to Board at the February 2018 Ordinary meeting.

**Recommending Officer:** Silke Maynard, Director Community and Corporate Services

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

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# COUNCIL REPORT

<b>Agenda Item Number:</b>	8.2
<b>Report Title:</b>	Thorak Regional Cemetery Quarterly Report October – December 2017
<b>Report Number:</b>	18/0016
<b>Meeting Date:</b>	17/01/2018
<b>Attachments:</b>	Nil

## Purpose

This report presents to the Thorak Regional Cemetery Board (“the Board”) the quarterly report for October – December 2017.

## Summary

This report provides the Board with an update of work conducted at the Thorak Regional Cemetery over the last quarter including statistical comparisons to the previous year, an update on progress made on the Service Review recommendations, as well as a brief overview of upcoming projects.

## Recommendation

THAT the Thorak Regional Cemetery Board receives and notes the Thorak Regional Cemetery quarterly report for October – December 2017.

## Background

The second quarter of this financial year has seen a general increase in the number of services provided at Thorak Cemetery. Comparisons to the same time last year are shown in Table 1 below.

Cremations increased by nearly 15% and burials up by 27% compared to the same time last year. The largest increase of over 42% was Chapel hire, which included four chapel hires used for memorial services only. Table 1 also shows an increase in exclusive right reservations and pre-need or pre-purchased plots. There was a slight decrease in ash interments.

**Table 1:** Comparison of services provided from October to December 2017 with the same time in the previous year.

<b>Number of:</b>	<b>Oct – Dec 2016</b>	<b>Oct – Dec 2017</b>	<b>Increase %</b>
Cremations	34	39	14.7%
Burials	22	28	27.2%
Ash Interments	3	2	
Ex rights Pre-need Burials	5*	8	
Ex rights Reservation	3*	4	
Chapel Hire	14	20	42.8%

\* For Oct – Dec 2016 the monthly statistics for exclusive rights pre-needs and reservations are not available, therefore an average of the entire year has been used.

Table 2 below compares cremations and burials by municipality, with Darwin service users remaining the highest users of the cemetery.

**Table 2:** Number of cremation and burials by municipality

<b>Municipality</b>	<b>Cremations</b>	<b>% of Total</b>	<b>Burials</b>	<b>% of Total</b>
Litchfield	3	8 %	2	8 %
Darwin	17	42%	18	65%
Palmerston	9	25%	5	19%
Other	10	25%	2	8 %

The following activities were achieved over the last quarter:

### **New Section G**

Burials have commenced and the area has greened up nicely.

### **Replacement Bridge**

Two wooden pedestrian bridges have been replaced with culverts and stone bridges replacing unsafe infrastructure and providing wheelchair access

### **Memorial Clean Up**

A thorough memorial and ornament clean-up was completed prior to the cyclone season. The Flower and Ornament Policy will now be enforced all year making it easier to mow and trim in areas.

### **Mulching**

The first of two-annual mulching, fertilising and termite control rounds are almost complete.

### **Section C**

Approximately 20 graves have been reopened in section C. It is assumed that they were closed due to rock formations. Further investigation via pre-digging will help determine how many are useable. One plot has been sold and used so far.

### **Internet**

Over the past two months the Thorak Regional Cemetery office has experienced consistent problems with internet and network access due to a faulty microwave dish. The office has had no access to records, accounting systems or email for long periods of time. This has impacted on customer service and staff productivity. An investigation of options available to provide Thorak Cemetery with access to Council's systems has concluded that the microwave dish infrastructure requires replacement. The microwave dish infrastructure connects the Cemetery to Council via the Howard Springs Waste Transfer Station. Quotes are currently being sought.

### **Progress of implementation of the Service Review:**

- the review of all current policy and procedures continues;
- new staff work plans are in place and all staff performance reviews completed;



- a Risk Management Plan is in progress and almost complete;
- a draft Asset Management Plan is currently being developed for future maintenance and costs. This Plan is awaiting the latest revaluation data to finalise the Plan;
- a cost analysis of all services is currently being undertaken to identify efficiencies;
- Reduced hours staffing trial continues; and
- a fifth Funeral Director will potentially be purchasing Thorak services and facilities with a new branch of the Tennant Creek Funeral Parlour opening in Katherine.

## Future Projects

### Mausoleums

The viability of allowing mausoleums is currently being investigated.

### Irrigation Upgrade and Expansion

An application for a special purpose grant (SPG) has been submitted to expand the irrigation and establish a planting (landscape) plan, this will be particularly helpful for future expansion of the cemetery.

## Links with Strategic Plan

An effective and sustainable Council.

## Legislative and Policy Implications

Not applicable

## Risks

Not applicable

## Financial Implications

Not applicable

## Community Engagement

Not applicable

**Recommending Officer:** **Silke Maynard, Director Community and Corporate Services**

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## Floral and Ornamental Tributes **CEM01**



Name	CEM01 Floral and Ornamental Tributes
Policy Type	Council
Responsible Officer	Thorak Cemetery Manger
Approval Date	18/01/2018
Review Date	20/01/2022

### 1. Purpose

**This policy** defines what are appropriate floral and ornamental tributes for use within the Cemetery to ensure a safe and attractive environment for families, visitors and staff and when and how these tributes may be left.

### 2. Scope

**This policy** applies to all tributes left in all sections of the Cemetery.

### 3. Definitions

For the purposes of this Policy, the following definitions apply:

Floral Tribute	Fresh, natural or artificial flowers.
Ornamental Tribute	Photo frames, candles, rocks, toys, wind toys, balloons, oil burners, money burning cans or solar lights.
Mementos	Any item deemed to be of sentimental significance.
Breakable Containers	Any vase or other item made of glass, ceramics or brittle plastic.
Large Pot Plants	Plants contained in a non-breakable container that does not exceed 20cm in height.
Significant Days	Days such as Funerals, anniversaries of death, birthdays, Fathers' Day, Mothers' Day and special occasions such as religious days.
Prohibited Items	Any breakable container, unsecured ornamental tribute, memento, or metal object likely to cause a risk to health and safety or the environment.

**4. Policy Statement****4.1. Tributes**

- 4.1.1 Floral tributes are welcome throughout the year and must be in non-breakable containers and taken out of any plastic or paper wrapping. These containers are provided free in receptacles located close to rubbish bins around the Cemetery.
- 4.1.2 Floral tributes must be placed in such a way that they do not encroach on any neighbouring site.
- 4.1.3 All floral tributes are to be removed by visitors when they are withered if fresh, or weathered if artificial. Staff will remove any unsightly floral tributes that have not been removed by visitors within a reasonable timeframe.
- 4.1.4 Large pot plants in non-breakable containers are permissible with prior approval from management.

**4.2. Prohibited and Discouraged Items and Activities**

- 4.2.1 Breakable containers are prohibited, unless they are ceramic and can be secured. Ornamental tributes are prohibited unless they are secured. Staff will remove breakable containers and unsecured ornamental tributes if left at any site within the Cemetery and store them for two weeks to enable visitors to retrieve the items.
- 4.2.2 Exceptions

To commemorate significant days, floral tributes may be left for a period of two weeks following that day, if staff have been advised in advance of those significant days.

Non-breakable ornaments and other mementos can also be left on significant days for a period of two weeks but only with the advance permission of the manager of Thorak Regional Cemetery and then must be removed.
- 4.2.3 Thorak Regional Cemetery management reserves the right to dispose of such items after the two-week period.
- 4.2.4 The use or release of balloons is discouraged due to their impact on the environment.
- 4.2.5 Picking flowers or other plants, or planting plants of any kind on or around a gravesite or any other area within the Cemetery is not permitted. Placing any kind of item to mark or outline a gravesite in a way that prevents lawn regrowth is not permitted except in authorised areas (Sections C and D, and the Orthodox and Muslim Monument sections). Pebbles or rocks that are contained by edging may be used.

**5. Associated Documents**

Floral and Ornamental Tributes Information Brochure.

**6. References and Legislation**

This policy is written in compliance with the Northern Territory Cemeteries Act and Regulations, the NT Local Government Act and Regulations and the Workplace Health and Safety Act and Regulations.

**7. Review History**

Date Reviewed	Description of changes (Inc Decision No. if applicable)
17/01/2018	<p>Reformatted and renumbered according to Council’s Policy Framework.</p> <p>Previous guidelines reworded to become policy statements.</p> <p>A set of relevant definitions has been included for clarity.</p> <p>Additional Statements</p> <ul style="list-style-type: none"> <li>4.1.4 Large pot plants in non-breakable containers are permissible with prior approval from management.</li> <li>4.2.2 Non-breakable ornaments and other mementos can also be left on significant days for a period of two weeks but only with the advance permission of the manager of Thorak Regional Cemetery and then must be removed.</li> <li>4.2.4 The use or release of balloons is discouraged due to their impact on the environment.</li> </ul>
11/10/2012	<p>Inclusion of a grandfather clause regarding floral and ornamental tributes left prior to 2008 when Litchfield Council assumed full responsibility for the cemetery. This enabled people to keep any items that did not conform to the new policy if they were left prior to 2008.</p>



# BOARD REPORT

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<b>Agenda Item Number:</b>	8.3
<b>Report Title:</b>	Thorak Regional Cemetery – CEM01 Floral and Ornamental Tributes Policy
<b>Report Number:</b>	18/0021
<b>Meeting Date:</b>	18/01/2018
<b>Attachments:</b>	CEM01 Floral and Ornamental Tributes Policy

## Purpose

This report presents to the Thorak Regional Cemetery Board for adoption, a reviewed, revised and renamed policy regarding floral and ornamental tributes.

## Summary

The amended LC23 Flower and Ornament Policy was approved by Litchfield Council in October 2012 and was due for review in 2016.

In accordance with Council's Policy Framework, the policy was reviewed with staff input, re-formatted and re-numbered to distinguish it as a Thorak Regional Cemetery policy.

## Recommendation

That the Board adopt CEM01 Floral and Ornamental Tributes Policy.

## Background

In October 2012, Council approved LC23 Flower and Ornament Policy. The guidelines were developed to protect visitors and staff from hazards and to ensure the cemetery looked tidy and well-cared for.

In accordance with Council's Policy Framework (GOV01), the policy was due for a review in 2016 to ensure relevance and alignment with pertinent legislation. Council's Policy Framework also requires a standard approach to formatting and numbering policies.

The review was recently conducted with input from Thorak Regional Cemetery staff and the following changes were made:

1. What appeared as guidelines in the original policy have been re-written as a policy statements.
2. A number of definitions have been included to ensure there is clarity.
3. Additional statements have been included following advice from staff:
  - 4.1.4 Large pot plants in non-breakable containers are permissible with prior approval from management.

- 4.2.2 Non-breakable ornaments and other mementos can also be left on significant days for a period of two weeks but only with the advance permission of the manager of Thorak Regional Cemetery and then must be removed.
- 4.2.4 The use or release of balloons is discouraged due to their impact on the environment.

The information brochure for visitors currently titled Flower and Ornament Policy will be re-written and redesigned to effectively communicate management's expectations regarding floral and ornamental tributes left on cemetery grounds. This brochure will include information about the regular clean-ups that will be conducted from time to time. The recent clean-up has been highly successful.

### **Links with Strategic Plan**

Everything You Need

### **Legislative and Policy Implications**

To comply with legislation Council needs to ensure that its policies are reviewed on schedule. All reviewed policies are in line with current legislation.

### **Risks**

The Board has an obligation under the Work, Health and Safety Act to ensure a safe, hazard free environment for staff and visitors alike. This policy responds to the need to have very clear expectations regarding what can be left as tributes, how they should be left and for how long.

### **Financial Implications**

Nil

### **Community Engagement**

Once this policy is approved a new brochure will be developed and made available in key locations around the cemetery as well as distributed to undertakers.

**Recommending Officer:** **Silke Maynard, Director of Corporate Services**

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

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# BOARD REPORT

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<b>Agenda Item Number:</b>	8.4
<b>Report Title:</b>	Delegations to the CEO
<b>Report Number:</b>	18/0022
<b>Meeting Date:</b>	17/01/2018
<b>Attachments:</b>	Thorak Regional Cemetery Delegation

## Purpose

This report recommends the Thorak Regional Cemetery Board delegates all its powers to the Chief Executive Officer (CEO) of Litchfield Council.

## Summary

Section 12 of the Cemeteries Act states that a Board may delegate to any person all or any of its powers or functions under the Act.

Previously the Board delegated all its powers to the Thorak Operations Manager and specific functions to the Thorak Administrative Officer, Director of Corporate Services and the Finance Manager.

As the Board is Litchfield Council pursuant to Section 184 of the Local Government Act, there appears to be a contradiction between the Cemeteries Act and the Local Government Act. The Local Government Act states Council does not have the power or authority to make delegations to employees other than the Chief Executive Officer.

By adopting the recommendations provided, the Board (Council) will be assured it is not contravening either Act. Adopting the recommendations will then allow the CEO to provide appropriate delegations to the Thorak Operations Manager to enable the efficient operations of Thorak Regional Cemetery.

## Recommendation

That the Thorak Regional Cemetery Board:

1. Revoke all previous delegations to Thorak Operations Manager, Thorak Administrative Officer and Litchfield Council's Director of Corporate Services and Finance Manager.
2. Pursuant to Section 12 of the Cemeteries Act, delegates to the Chief Executive Officer of Litchfield Council all its powers and functions under the Cemeteries Act to undertake the care, control and management of the public cemetery known as Thorak Regional Cemetery and located in Litchfield Council's area (Section 184 Local Government Act).



## Background

A recent audit of Thorak Regional Cemetery Board decisions revealed the Board delegated all its powers and functions pursuant to Section 12 of the Cemeteries Act to the Thorak Operations Manager, and some of its functions to the Thorak Administrative Officer and Litchfield Council's Director of Corporate Services and Finance Manager in October 2015.

Section 12 Board may delegate its powers of the Cemeteries Act states:

- (1) *A Board may, in relation to any particular matter or class of matters, or to any particular place, by writing under its seal, delegate to any person all or any of its powers or functions under this Act (except this power of delegation), so that the delegated powers and functions may be exercised by the delegate with respect to the matter or class of matters, or to the place, specified in the instrument of delegation.*
- (2) *Every delegation under this section shall be revocable at will and no delegation shall prevent the exercise of any power by the Board.*

Section 13 Powers of Boards of the Cemeteries Act states that a Board shall have power:

- a) *to do anything necessary for the upkeep, maintenance, improvement and management of the public cemetery in respect of which it is appointed;*
  - aa) *to grant annual licences to undertakers to undertake funerals in that cemetery;*
  - aaa) *to grant a licence to a person who is not an undertaker to undertake in that cemetery the funeral of a relative of the person or the funeral of another person with whom the Board is satisfied the person had a close association;*
  - ab) *to demand and receive fees and charges in respect of licences granted under this section and the undertaking of funerals in that cemetery; and*
- b) *To do anything incidental to any of its powers conferred by this Act.*

Section 184 Public Cemeteries of the Local Government Act states that:

- (1) *A public cemetery situated in a council's area is under the care, control and management of the council;*
- (2) *A council has, in regard to such a cemetery, the powers of a Board of Trustees under the Cemeteries Act.*

Whilst Council is the Board, Council does not have the power or authority under the Local Government Act to make delegations to employees other than the Chief Executive Officer.

It is therefore recommended the Board revoke the previous delegations and delegate all its powers and functions to the CEO. This will allow the CEO to then delegate all the powers and functions to the Thorak Operations Manager pursuant to Section 102 Delegation by CEO of the Local Government Act:

*The CEO may delegate (or sub-delegate) a power or function to a person or committee.*

## Links with Strategic Plan

An effective and sustainable Council.

## Legislative and Policy Implications

These recommendations ensure the Board is not contravening either the Cemeteries Act or The Local Government Act.

## Risks

A regular review of the Board's delegation to the CEO at least once every Council term will ensure any changes to legislation are considered and all accountabilities are clear. It should be noted Section 12 of the Cemeteries Act states that every delegation shall be revocable at will and no delegation shall prevent the exercise of any power by the Board.

## Financial Implications

None.

## Community Engagement

None.

**Recommending Officer:** **Silke Maynard, Director Community and Corporate Services**

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