

2nd ORDINARY COUNCIL MEETING

NOTICE OF MEETING

TUESDAY, 21 MAY 2019

The Ordinary Meeting of the City of Palmerston will be held in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston commencing at 5.30pm.

A handwritten signature in black ink, appearing to read 'Luccio Cercarelli'.

LUCCIO CERCARELLI
CHIEF EXECUTIVE OFFICER

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2nd Ordinary Council Meeting

1 ACKNOWLEDGEMENT OF COUNTRY

2 OPENING OF MEETING

3 APOLOGIES AND LEAVE OF ABSENCE

- 3.1 Apologies
- 3.2 Leave of Absence Previously Granted
- 3.3 Leave of Absence Request

4 REQUEST FOR TELECONFERENCE

5 DECLARATION OF INTEREST

- 5.1 Elected Members
- 5.2 Staff

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

THAT the Minutes of its Council Meeting held on 7 May 2019 pages 9742 to 9751 be confirmed.

6.2 Business Arising from Previous Meeting

7 MAYORAL REPORT

8 DEPUTATIONS AND PRESENTATIONS

9 PUBLIC QUESTION TIME (WRITTEN SUBMISSIONS)

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

10.1.1 Draft City of Palmerston Municipal Plan and Budget 2019/2020

C9/0225

1. THAT Report Number C9/0225 entitled Draft City of Palmerston Municipal Plan and Budget 2019/2020 be received and noted.
2. THAT in accordance with section 24(2) of the *Local Government Act*, Council endorse the Draft City of Palmerston Municipal Plan and Budget 2019/2020 at **Attachment A** to Report Number C9/0225 for the purposes of 28 days public consultation.
3. THAT a report be provided to Council with the outcomes of public consultation by the Second Ordinary Meeting in June 2019.
4. THAT the decisions and **Attachment A** to Report Number C9/0225 entitled Draft City of Palmerston Municipal Plan and Budget 2019/2020 move into the open session to allow for public consultation following the media launch of the Draft Plan.

CARRIED 9/0616 – 07/05/2019

10.2 Moving Open Items into Confidential

10.3 Confidential Items

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.

ITEM	REGULATION	REASON
25.2.1	8(c)(iv)	This item is considered 'Confidential' pursuant to <i>Section 65(2)</i> of the <i>Local Government Act</i> and 8(c)(iv) of the <i>Local Government (Administration) Regulations</i> , which states municipal council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person is discussed.
25.2.2	8(c)(iv)	This item is considered 'Confidential' pursuant to <i>Section 65(2)</i> of the <i>Local Government Act</i> and 8(c)(iv) of the <i>Local Government (Administration) Regulations</i> , which states municipal council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person is discussed.

25.2.3	8(c)(iv)	This item is considered 'Confidential' pursuant to Section 65(2) of the Local Government Act and 8(c)(iv) of the Local Government Administration Regulations, whereby the public may be excluded while business of a kind classified as information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person is discussed.
	8(d)	This item is considered 'Confidential' pursuant to Section 65(2) of the Local Government Act and 8(d) of the Local Government (Administration) Regulations, which states municipal council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information subject to an obligation of confidentiality at law, or in equity.

11 PETITIONS

12 NOTICES OF MOTION

13 OFFICER REPORTS

13.1 Receive and Note Reports

13.1.1	Community Benefit Scheme May 2019 Update	9/0231
13.1.2	Financial Report for the Month of April 2019	9/0235
13.1.3	Northern Territory Government Exposure Draft Liquor Bill 2019	9/0236

AGENDA ITEM:	13.1.1
REPORT TITLE:	Community Benefit Scheme May 2019 Update
REPORT NUMBER:	9/0231
MEETING DATE:	21/05/2019
AUTHOR:	Manager Community Services, Jan Peters
APPROVER:	Acting Director Lifestyle and Community, Amelia Vellar

COMMUNITY PLAN

Family and Community: Palmerston is a safe and family friendly community where everyone belongs.

PURPOSE

This report provides Council with a summary of the Community Benefit Scheme 2018/2019 Financial Year applications processed to date.

KEY MESSAGES

- Council has provided a total of \$103,686 in grants, scholarships, sponsorship and donations including representation support.
- Community Benefit Scheme has supported twenty two Community groups and nineteen individuals.
- \$26,314 remains unallocated in the Community Benefit Scheme 2018/2019 budget.

RECOMMENDATION

THAT Report Number 9/0231 entitled Community Benefit Scheme May 2019 Update be received and noted.

BACKGROUND

City of Palmerston provides funding to eligible community groups that offer facilities, projects and services that assist Council to deliver on Palmerston's vision of "A Place or People".

Community Benefit Scheme funding for organisations includes grants and sponsorships, with scholarships and donations, including representation support, also available to individuals.

Applications are accepted year-round and the scheme is promoted at every opportunity. Successful applicants agree to acknowledge Council's support and provide images that may be used to promote the funding scheme.

DISCUSSION

The 2018/2019 Community Benefit Scheme total allocation is \$130,000. Due to the successful distribution of funding the Community Benefit Scheme budget rests at \$26,314.

Since the previous Community Benefit Scheme Update report in April, Council has received six eligible funding applications.

Representation Support:

One application by a young resident is on hold waiting for confirmation of his place in a golfing tournament interstate. It is likely this will be held over and considered in the next financial year.

An applicant was awarded \$250 to assist her participation in the (women's team) Police Rugby World Cup in Hong Kong, later in the year.

Two Palmerston residents have applied for \$250 financial support to represent Palmerston. These applications are under consideration.

Other applications:

Palmerston Scouts group was successful with its application for \$1,500 to assist the purchase of shirts that may be worn while performing community service activities.

One Community group has submitted a sponsorship application for \$2,000 to support their program delivery within Palmerston schools. This application is under consideration.

A table listing all successful funding applications and acquittals processed to May for 2018/2019 is provided as Attachment A.

CONSULTATION PROCESS

Council will continue to promote this program to the community via various methods. Successful applicants will be posted to our website and where appropriate, media releases will be circulated.

On 3 May 2019, a marketing email was sent out through the Community Services contacts database to numerous local youth, sporting and community groups encouraging them to access the Community Benefit Scheme. The email reminded community groups that as we approach the end of this financial year, the City of Palmerston still had funds remaining to support initiatives which benefit the community.

POLICY IMPLICATIONS

Council Policy *FIN18 Grants, Donations, Sponsorships and Scholarships*

BUDGET AND RESOURCE IMPLICATIONS

The budget for the 2018/2019 Financial Year for Grants, Donations, Sponsorships and Scholarships is \$130,000. To date, Council has awarded \$103,686. and \$26,314 remains uncommitted.

Should the current applications under consideration be successful the remaining funds would reduce to \$23,814.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

There is no risk, legal and legislative implications relating to this report.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

ATTACHMENTS

Attachment A: City of Palmerston Approved Community Benefit Scheme Applications – May 2019

City of Palmerston Approved Community Benefit Scheme Applications - May 2019

Activity Project	Applicant	Amount Requested	Amount Received	Notes
Aridagawa Sister City Student Exchange Scholarship	Palmerston College	\$ 4,000 inc GST	\$3,636	2019 Aridagawa visit
ANZAC Day Services (3 years)	The Returned & Services League of Australia Palmerston	\$10,000	\$10,000	Final of 3-year agreement
Touch Football NT Titles	Touch Football NT	\$13,000	\$13,000	Final of 3-year agreement
PGA Championship	Cazaly's Club Palmerston, Palmerston Golf Club	\$30,000	\$30,000	First of 3-year agreement
Special Children's Christmas Party	AM Media (Special Children's Christmas Party)	\$ 1,000	\$ 1,000	2018 event
Christmas Bash	Palmerston 50+ Club Inc.	\$ 1,000	\$ 1,000	2018 event
Annual School Community Awards - to date	All Palmerston Schools	\$ 1,500 in total	\$ 1,500	Offered annually to all schools; 15 of 15 accepted
Launch Mental Health Week	NT Mental Health Coalition	\$ 2,000	\$ 2,000	2018 event
Buddy Benches in schools	Litchfield/Palmerston Rotary Club	\$ 4,000*	\$ 4,000*	2018 activity * exc. GST
Autism NT Luncheon 2018	Autism NT	\$ 1,818 *	\$ 1,818*	2018 activity * exc. GST
City of Palmerston Seniors Fortnight 2019	Palmerston and Rural Seniors Committee	\$15,000	\$15,000	First of three-year funding request
Year 12 Pool Party	YMCA Youth and Community Services Limited	\$ 1,840	\$ 1,840	2018 event
Art Practice Wellbeing program	Top End Mental Health Consumers Organisation	\$2,000	\$2,000	2019 activity
Graffiti Removal project	Mackillop Catholic College	\$500	\$500	2019 activity
Catering for Training Course	Come Talk/Walk With Me	\$500	\$500	
Family Fun Day	NT Multiple Births Club	\$1,000	\$1,000	2019 activity
International Women's Day Walk	United Nations Association of Australia	\$2,000	\$1,000	2019 event
Walk Event Sponsorship	Walking Off the War Within	\$1,000	\$1,000	2019 event
Harvest Corner/ Gray Community Garden items	Gray Community Garden Inc.	\$4,142	\$4,142	
Sewing Program	STEPS Group Training	\$500	\$500	
Zimpride National Football Event (Soccer)	Zimbabwe Darwin Community Association Inc.	\$2,000	\$2,000	2019 event
Shirts	Palmerston Scout Group	\$1,500	\$1,500	
Palmerston/NT/Australian Representation - Sport	1. Resident, National All Schools Athletics Championships	\$250	\$250	Representation support
	1. Resident, School Sport Australia Track and Field Championships	\$250	\$250	
	2. Resident, School Sport Australia Track and Field Championships	\$250	\$250	

City of Palmerston Approved Community Benefit Scheme Applications - May 2019

Activity Project	Applicant	Amount Requested	Amount Received	Notes
Palmerston/NT/Australian Representation - Sport	1. Resident, Queensland Junior Teams Tennis Carnival	\$250	\$250	Representation support
	2. Resident, Queensland Junior Teams Tennis Carnival	\$250	\$250	
	3. Resident, Queensland Junior Teams Tennis Carnival	\$250	\$250	
	4. Resident, Queensland Junior Teams Tennis Carnival	\$250	\$250	
	5. Resident, Queensland Junior Teams Tennis Carnival	\$250	\$250	
	1. Resident, Australian Teams Championships, (Tennis)	\$250	\$250	
	1. Resident, Police Rugby World Cup	\$250	\$250	
	2. Resident, Police Rugby World Cup	\$250	\$250	
	3. Resident, Police Rugby World Cup	\$250	\$250	
	4. Resident, Police Rugby World Cup	\$250	\$250	
	1. Resident, National Rugby Union 7's Championships	\$250	\$250	
	1. Resident – Super 10's National Camp (Tennis)	\$250	\$250	
	1. Resident – Aus. under 18 Women's National Hockey Championships	\$250	\$250	
	1. Resident – Aus. under 15 Girls' National Hockey Championships	\$250	\$250	
	1. BMX Australia's National series round one competition	\$250	\$250	
	1. Resident – under 18 Men's Outdoor Hockey Championships	\$250	\$250	
TOTAL			\$103,686	

Current Community Benefits Scheme Expenditure to Date

	Account Name	YTD	Commitment	YTD + Comm	Budget	Budget Available
Grants/Donations/Sponsorships/Scholarships Paid	Community Grants	\$103,686		\$103,686	\$130,000	\$26,314

In-Kind Support Approved to Date

Activity Project	Applicant	Value Requested	Value Received	Notes
Seniors Indoor Croquet Club	Seniors Indoor Croquet Club	\$500	\$500	Recreation Centre hire
Playgroup Venue hire	Tumbledown Tots Playgroup	\$500	\$500	Driver Resource Centre hire
TOTAL			\$1,000	

AGENDA ITEM:	13.1.2
REPORT TITLE:	Financial Report for the Month of April 2019
REPORT NUMBER:	9/0235
MEETING DATE:	21/05/2019
AUTHOR:	Executive Manager Finance, Shane Nankivell
APPROVER:	Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

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

PURPOSE

The purpose of this report is to present to Council the Financial Report for the Month of April 2019.

KEY MESSAGES

- Overall, Operating Income and Expenditure are generally in-line with budget expectations and cashflows.
- Capital Expenditure including commitments shows 90% of budget spent.
- As it was previously identified that the capital program was behind expectations, significant work and monitoring will continue to be undertaken to ensure that the capital program is delivered.
- The credit rating of one of Council's investment counterparties was downgraded. This resulted in one of Council's existing investments being outside the terms of the policy. Once the investment matures it will be reinvested in accordance with the policy.
- The internal loan for Making the Switch has been drawn upon in April, \$90,000 has been drawn down with \$148 of internal interest accrued.

RECOMMENDATION

THAT Report Number 9/0235 entitled Financial Report for the Month of April 2019 be received and noted.

BACKGROUND

In accordance with Section 18 of the *Local Government (Accounting) Regulations* the proceeding months financial report must be presented to Council. The commentary below and the attachment present the financial position of Council at the end of April 2019.

DISCUSSION

Monthly cashflows for income and expenses have been updated and are recorded in the report. This information details when income or expenses are expected to happen throughout the year with consideration of seasonality and appropriate timing of works. This allows for improved reporting for Elected Members and budget management for Council Officers.

Operating Income

- Total Operating Income is at 95% of the current budget.
- All Operating Income items are generally tracking as expected. Statutory Charges are below budget representing a reduction in the number of parking fines issued. This has been reviewed at the Third Quarter Budget Review.
- Reimbursements will be revised up at Third Quarter Review to meet actual income received
- The forecast Other Income includes provision for income from Litchfield Council for the operation of the Taminmin Library. This has been adjusted at the Third Quarter Budget Review.

Operating Expenditure

- Total Operating Expenditure is at 83% of the budget inclusive of commitments.
- Operating Expenditure is in line with budget expectations.

Capital Income

Capital Income is currently 13%. Council is expecting to receive \$10 million in gifted assets from developments, such as roads, parks and other infrastructure assets. These assets will pass to City of Palmerston once the development work is finalised throughout the financial year and the assets are taken up on Council's asset register.

Council was expecting to receive capital grants and contributions to the value of \$963,410, currently 116% to the value of \$1,119,558 has been received, with higher than expected proceeds from Developer Contributions. An adjustment was made at the Second Quarter Budget Review, however further funds have been received in the interim, and another adjustment will be made at Third Quarter Budget Review.

Capital Expenditure

Overall, Capital Expenditure is showing at 90% for the year including commitments raised. As it was previously identified that the capital program was behind expectations, significant work and monitoring will continue to be undertaken to ensure that the capital program is delivered.

Loans

Council has approved an internal loan for \$3.675 million to fund *Making the Switch* and an external loan for \$2 million to fund the final stage of remediation works at the previous Archer Landfill site.

The external loan for Archer has not yet been drawn upon, when it is drawn down details of this loan will be provided in the accompanying Finance Report.

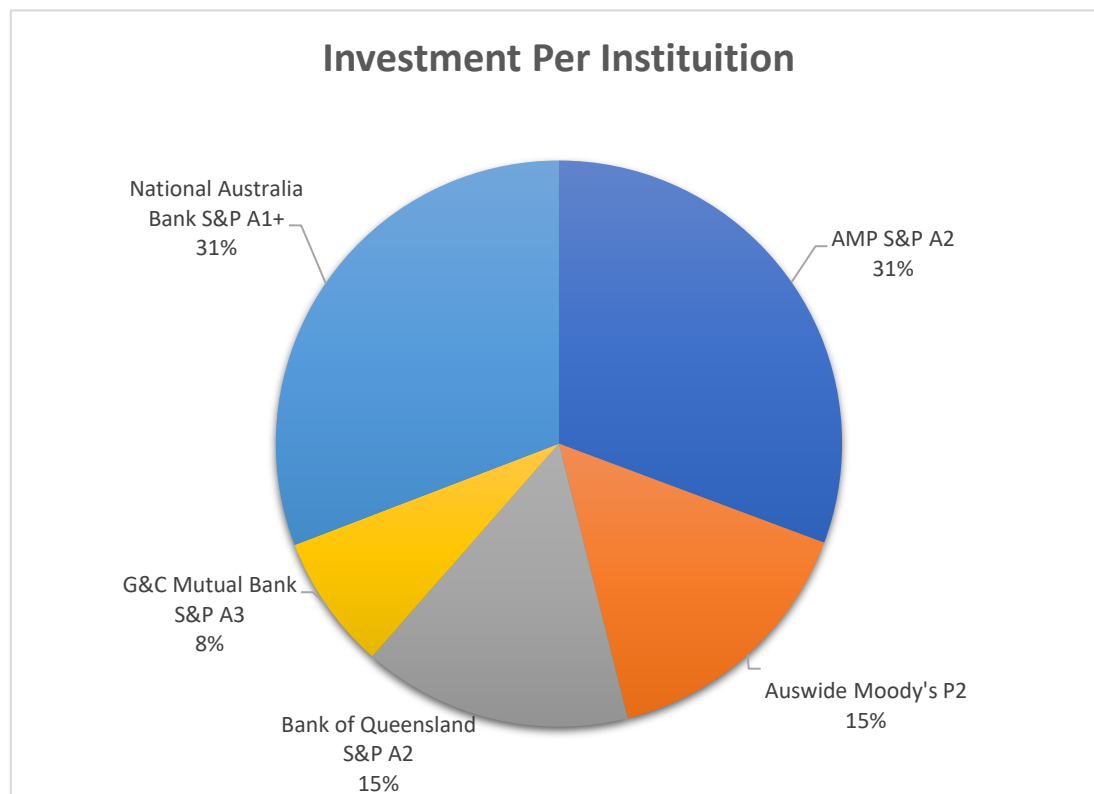
The initial internal loan for *Making the Switch* has been drawn upon, with the corresponding figures shown in **Attachment A**, section 2.10 Internal Loan: *Making the Switch*. As at the end of April, \$90,000 of the loan has been drawn down and \$148 of internal interest accrued. As previously approved, as energy savings from the project are realised, a portion will be allocated to the repayment of the loan, with the remainder allocated to improving the public lighting network.

Investments

Due to the recent downgrading of the credit rating of an investment counterparty, Council's current investment portfolio is outside the requirements of *FIN06 Investments* 4.1.2.1 Portfolio Credit Framework. The policy provides for a maximum A2/P2 breakup of 60%, Council currently now holds 62% of its portfolio in A2/P2 investments. The Risk Management Guidelines under 4.1.2 provide that "if any of Council's investments are downgraded such that they no longer fall within the investment policy requirements, they will be divested as soon as practicable but in a manner that does not give rise to any unnecessary loss to Council". As such, the investment portfolio will be restructured to ensure all investments are in accordance with the policy by the end of the financial year.

As at 30 April 2019, Council held a total of \$19,663,154 in term deposits in five separate financial institutions.

The break up between the institutions is:



Outstanding Rates

A review is currently been undertaken on Council's debt collection procedures in conjunction with Council's debt collection agency to ensure that best practice is been applied to improve collection rates whilst still providing relief for ratepayers suffering from financial hardship.

CONSULTATION PROCESS

There was no consultation required during the preparation of this report.

POLICY IMPLICATIONS

Council Policy *FIN06 – Investments*.

BUDGET AND RESOURCE IMPLICATIONS

Budget and resource implications are outlined in the body of the report and attachment.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

The *Local Government (Accounting) Regulations* prescribes that:

18 Financial Reports to Council

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 up to the end of the previous month;
 - b. The forecast income and expenditure for the whole of the financial year.
2. The report must include:
 - a. Details of all cash investments held by the Council (including any money held in trust);
 - b. A statement of the debts owed to the Council including aggregate amount owed under each category with a general indication of the age of the debts;
 - c. Other information required by the Council.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

ATTACHMENTS

Attachment A: Financial Management Report – April 2019

Financial Management Reports

April 2019

- ❖ 1. Executive Summary
- ❖ 2. Financial Results



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April 2019

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SECTION 2 – FINANCIAL RESULTS	2.1	Budget Summary Report
	2.2	Reserves Schedule
	2.3	Investments Management Report
	2.4	Debtor Control Accounts
	2.5	Financial Indicators
	2.6	Creditor Accounts Paid
	2.7	Creditor Accounts Outstanding
	2.8	Waste Charges
	2.9	Commercial Leases
	2.10	Internal Loan: <i>Making the Switch</i>

Section 2

Financial Results

30 April 2019

1.1 - Executive Summary as at

% of year passed

83%

	Revised Budget 2019 \$	YTD Actual \$	YTD Committed \$	Budget Forecast \$	% Utilised
Operating Income					
Rates & Annual Charges	27,962,285	26,993,643	0	27,962,285	97%
Statutory Charges	166,500	92,264	0	128,500	55%
User Charges & Fees	1,435,240	1,150,505	0	1,405,724	80%
Interest & Investment Revenue	963,160	998,798	0	1,098,160	104%
Reimbursements	0	58,542	0	58,042	0%
Other Income	21,186	93,287	0	161,186	440%
Grants, Subsidies & Contributions	1,931,573	1,466,012	0	1,969,073	76%
Operating Income	32,479,944	30,853,051	0	32,782,970	95%
Operating Expenditure					
Employee Costs	-8,671,994	-6,917,665	-1,369	-8,806,994	80%
Professional Services	-1,689,667	-1,216,484	-186,395	-1,684,539	83%
Auditor's Remuneration	-35,000	-25,345	0	-35,000	72%
Bad and Doubtful Debts	0	5,895	0	0	0%
Operating Lease Rentals	-217,300	-119,260	-9,975	-217,300	59%
Energy	-1,323,387	-957,335	0	-1,248,227	72%
Materials & Contractors	-11,862,566	-8,550,575	-1,874,376	-11,564,343	88%
Depreciation, Amortisation & Impairment	-11,500,000	-9,583,330	0	-11,500,000	83%
Elected Members Expenses	-361,287	-235,447	0	-361,287	65%
Legal Expenses	-280,200	-258,671	-53,989	-276,200	112%
Water Charges	-1,388,759	-1,075,100	0	-1,608,719	77%
Telephone & Other Communication Charges	-226,000	-204,031	-11,140	-226,000	95%
Community Grants	-130,000	-101,937	0	-130,000	78%
Other Expenses	-2,893,012	-1,923,742	-257,970	-2,596,887	75%
Borrowing Costs	-92,200	0	0	-92,200	0%
Operating Expenditure	-40,671,372	-31,163,027	-2,395,215	-40,347,696	83%
OPERATING SURPLUS/(DEFICIT)	-8,191,428	-309,976	-2,395,215	-7,564,726	
Capital Income					
Net gain (loss) on disposal or revaluation of assets	60,600	93,906	0	179,906	155%
Developer Contributions	700,000	816,148	0	850,000	117%
Asset Income	10,000,000	217,194	0	10,000,000	2%
Grants received	263,410	303,410	0	263,410	115%
Capital Income	11,024,010	1,430,658	0	11,293,316	13%
Net SURPLUS / (DEFICIT) transferred to Equity Statement	2,832,582	1,120,682	-2,395,215	3,728,590	
Capital Expenditure					
Land Purchase	0	0	0	0	0%
Asset Purchase	-1,746,403	-1,051,245	-473,060	-1,962,403	87%
Asset Upgrade	-6,442,118	-2,765,409	-3,110,900	-6,672,126	91%
Capital Expenditure	-8,188,521	-3,816,654	-3,583,960	-8,634,529	90%
Less Non-Cash Expenditure	-11,500,000	-9,583,330	0	-11,500,000	83%
Plus Gifted Assets	10,000,000	217,194	0	10,000,000	2%
NET CAPITAL SURPLUS/(DEFICIT)	-3,855,939	6,670,165	-5,979,175	-3,405,940	
Borrowings	2,000,000	0	0	2,000,000	0%
Repayment of Borrowings	-208,814	0	0	-208,814	0%
Reserve Movement	2,064,753	0	0	1,625,753	0%
NET OPERATING SURPLUS/(DEFICIT)	0	6,670,165	-5,979,175	11,000	


Approved by: Executive Manager Finance

Section 2

Financial Results

2.1 - Budget Summary Report as at

30 April 2019

% of year passed
Cashflowed Estimate of Budget YTD

83%
95%

Operating Income

	Revised Budget \$	YTD Actuals \$	%
Governance			
Office of the CEO	374,619	323,491	86.35%
Governance	374,619	323,491	86.35%
Corporate Services			
Financial Services	409,786	470,926	114.92%
Director Corporate Services	115,976	163,207	140.72%
Rates	21,109,994	20,144,936	95.43%
Corporate Services	21,635,756	20,779,069	96.04%
Community Services			
Arts & Culture	50,000	39,000	78.00%
Community Development	25,000	30,010	120.04%
Events Promotion	1,500	2,900	193.35%
Health and Wellbeing Services	9,000	9,000	100.00%
Library Services	735,440	779,336	105.97%
Senior Citizens	1,500	1,500	100.00%
Youth Services	324,000	0	0.00%
Director Lifestyle & Community	40,000	0	0.00%
Community Services	1,186,440	861,746	72.63%
Technical Services			
Animal Management	336,000	327,409	97.44%
Aquatic Centre	32,280	25,764	79.81%
Civic Centre	151,304	118,907	78.59%
Driver Resource Centre	10,000	7,937	79.37%
Gray Community Hall	16,800	10,685	63.60%
Director City Growth & Operations	31,780	81,945	257.85%
Parking & Other Ranger Services	144,500	56,226	38.91%
Private Works	120,000	62,753	52.29%
Recreation Centre	120,000	100,129	83.44%
Roads & Transport	441,454	342,621	77.61%
Stormwater Infrastructure	1,120	1,120	100.00%
Subdivisional Works	400,000	128,992	32.25%
Waste Management	6,999,791	6,999,649	100.00%
Odegaard Drive Investment Property	446,160	408,980	91.67%
Durack Heights Community Centre	1,940	695	35.85%
CBD Car Parking	330,000	214,933	65.13%
Technical Services	9,583,129	8,888,744	92.75%
	32,779,944	30,853,051	94.12%
	32,779,944	30,853,051	94.12%

Section 2

Financial Results

30 April 2019

2.1 - Budget Summary Report as at

% of year passed
Cashflowed Estimate of Budget YTD

83%
9%

Capital Income

	Revised Budget \$	YTD Actuals \$	%
Corporate Services			
Director Corporate Services	60,600	93,906	154.96%
Corporate Services	60,600	93,906	154.96%
Community Services			
Director Lifestyle & Community	0	40,000	0.00%
Community Services	0	40,000	0.00%
Technical Services			
Roads & Transport	263,410	263,410	100.00%
Subdivisional Works	10,700,000	1,033,342	9.66%
Technical Services	10,963,410	1,296,752	11.83%
	11,024,010	1,430,658	12.98%
	11,024,010	1,430,658	12.98%

Section 2

Financial Results

30 April 2019

2.1 - Budget Summary Report as at

% of year passed
Cashflowed Estimate of Budget YTD
Actual % Expenditure YTD (not including commitments)

83%
80%
77%

Operating Expenditure

	Revised Budget \$	YTD Actuals \$	Commitment \$	Total YTD Actuals plus Commitments \$	%
Governance					
Elected Members	-385,796	-264,087	-6,470	-270,557	70.13%
Office of the CEO	-760,758	-743,991	-29,135	-773,125	101.63%
Governance	-1,146,554	-1,008,078	-35,604	-1,043,682	91.03%
Corporate Services					
Customer Services	-230,765	-188,452	0	-188,452	81.66%
Financial Services	-1,563,566	-1,376,582	-18,245	-1,394,828	89.21%
Human Resources	-435,946	-391,070	-7,300	-398,370	91.38%
Information Technology	-1,140,564	-870,523	-72,780	-943,304	82.71%
Director Corporate Services	-12,367,418	-10,182,808	-25,764	-10,208,571	82.54%
Public Relations and Communications	-398,860	-297,009	-18,007	-315,015	78.98%
Rates	-374,700	-304,227	-28,542	-332,769	88.81%
Records Management	-261,716	-193,229	-8,398	-201,627	77.04%
Corporate Services	-16,773,535	-13,803,900	-179,036	-13,982,936	83.36%
Community Services					
Arts & Culture	-150,500	-84,493	-8,690	-93,183	61.92%
Community Development	-1,027,063	-683,707	-7,235	-690,941	67.27%
Disabled Services	-3,000	0	0	0	0.00%
Events Promotion	-242,000	-150,798	-20,767	-171,565	70.89%
Families & Children	-31,100	-9,772	-4,880	-14,653	47.11%
Health and Wellbeing Services	-61,500	-29,392	-29,925	-59,317	96.45%
Library Services	-1,629,798	-1,157,294	-43,322	-1,200,616	73.67%
Senior Citizens	-3,500	-2,403	-155	-2,557	73.07%
Youth Services	-343,500	-25,055	-46,965	-72,020	20.97%
Director Lifestyle & Community	-334,973	-269,712	-150	-269,862	80.56%
Community Services	-3,826,934	-2,412,616	-162,088	-2,574,715	67.28%
Technical Services					
Animal Management	-111,330	-94,619	-6,736	-101,355	91.04%
Aquatic Centre	-705,281	-501,564	-53,322	-554,886	78.68%
Archer Sports Club	-7,334	-334	0	-334	4.55%
Civic Centre	-370,950	-332,763	-18,013	-350,776	94.56%
Depot	-70,383	-56,536	-3,219	-59,756	84.90%
Driver Resource Centre	-19,685	-9,948	-1,076	-11,025	56.01%
Emergency Operations	-10,000	0	0	0	0.00%
Gray Community Hall	-55,347	-40,789	-4,086	-44,875	81.08%
Director City Growth & Operations	-1,059,440	-1,191,152	-56,172	-1,247,324	117.73%
Open Space	-4,805,278	-3,504,744	-341,020	-3,845,764	80.03%
Parking & Other Ranger Services	-742,456	-609,783	-3,765	-613,548	82.64%
Plant & Equipment	-27,619	-30,313	0	-30,313	109.75%
Private Works	-91,522	-73,275	0	-73,275	80.06%
Recreation Centre	-249,103	-196,512	-23,101	-219,614	88.16%
Roads & Transport	-2,233,673	-1,580,015	-149,217	-1,729,231	77.42%
Stormwater Infrastructure	-295,000	-245,734	-14,997	-260,731	88.38%
Street Lighting	-1,420,000	-1,163,098	-34,530	-1,197,628	84.34%
Subdivisional Works	0	-108	0	-108	0.00%
Waste Management	-6,295,322	-4,064,410	-1,264,219	-5,328,629	84.64%
Odegaard Drive Investment Property	-130,346	-110,574	-2,900	-113,474	87.06%
Durack Heights Community Centre	-26,620	-16,348	-3,021	-19,370	72.76%
CBD Car Parking	-133,300	-99,183	-29,528	-128,711	96.56%
Goyder Square	-64,360	-15,558	-145	-15,704	24.40%
Technical Services	-18,924,350	-13,937,359	-2,009,069	-15,946,428	84.26%
	-40,674,372	-31,161,963	-2,385,797	-33,547,761	82.48%

Section 2 Financial Results

2.1 - Budget Summary Report as at

30 April 2019

% of year passed
Cashflowed Estimate of Budget YTD
Actual % Expenditure YTD (not including commitments)

83%
66%
47%

Capital Expenditure

	Revised Budget \$	YTD Actuals \$	Commitment \$	Total YTD Actuals plus Commitments \$	%
Corporate Services					
Information Technology	-107,151	-94,978	-1,045	-96,023	89.61%
Director Corporate Services	-291,000	-200,659	-96,144	-296,803	101.99%
Corporate Services	-398,151	-295,637	-97,189	-392,827	98.66%
Community Services					
Library Services	-101,000	-74,346	0	-74,346	73.61%
Community Services	-101,000	-74,346	0	-74,346	73.61%
Technical Services					
Aquatic Centre	-150,000	-112,171	-30,099	-142,270	94.85%
Civic Centre	-196,545	-227,698	-5,227	-232,925	118.51%
Depot	-10,000	0	0	0	0.00%
Driver Resource Centre	-14,000	0	0	0	0.00%
Director City Growth & Operations	-452,234	-219,629	-153,008	-372,637	82.40%
Open Space	-1,661,539	-620,132	-519,565	-1,139,697	68.59%
Recreation Centre	-93,000	-75,300	-3,250	-78,550	84.46%
Roads & Transport	-2,622,052	-756,784	-636,813	-1,393,597	53.15%
Stormwater Infrastructure	-100,000	-44,311	0	-44,311	44.31%
Street Lighting	-190,000	-163,998	-1,441,678	-1,605,676	845.09%
Subdivisional Works	-200,000	-135,726	-6,476	-142,202	71.10%
Waste Management	-2,000,000	-1,090,921	-692,854	-1,783,776	89.19%
Technical Services	-7,689,370	-3,446,670	-3,488,969	-6,935,639	90.20%
	-8,188,521	-3,816,654	-3,586,158	-7,402,812	90.40%

Section 2

Financial Results

2.2 Reserves Schedule

	Balance as at 1/07/2018	Original Budget \$	TO RESERVES Budget Reviews		Adopted Budget \$	Original Budget \$	FROM RESERVES Budget Review		Adopted Budget \$	Balance as at 30/06/2019
			1st Review \$	2nd Review \$			1st Review \$	2nd Review \$		
Externally Restricted Reserves										
Unexpended Grants Reserve	1,776,402	0	0	500,000	500,000	0	1,776,402	0	1,776,402	500,000
Developer Funds in Lieu of Construction	4,985,377	400,000	0	400,000	800,000	300,000	90,000	0	390,000	5,395,377
	6,761,779	400,000	0	900,000	1,300,000	300,000	1,866,402	0	2,166,402	5,895,377
Internally Restricted Reserves										
Election Expenses Reserve	150,000	100,000	0	0	100,000	0	0	0	0	250,000
Disaster Recovery Reserve	500,000	0	0	0	0	0	0	0	0	500,000
Strategic Initiatives Reserve	300,000	0	0	0	0	100,000	190,000	0	290,000	10,000
Unexpended Capital Works Reserve	845,482	0	0	0	0	0	845,482	0	845,482	0
Property Reserve	922,104	0	0	0	0	0	0	0	0	922,104
Plant and Equipment Reserve	271,632	0	0	0	0	0	0	0	0	271,632
Infrastructure Reserve	5,552,686	211,690	0	140,000	351,690	0	830,215	0	830,215	5,074,161
Community Grants Reserve	100,000	0	0	0	0	30,000	0	0	30,000	70,000
Waste Management Reserve	26,525	2,289,655	206,000	0	2,495,655	2,000,000	0	0	2,000,000	522,180
Streetlighting Reserve	311,063	0	0	0	0	0	0	150,000	150,000	161,063
City Centre Improvement Reserve	0	0	0	0	0	0	0	0	0	0
	8,979,491	2,601,345	206,000	140,000	2,947,345	2,130,000	1,865,697	150,000	4,145,697	7,781,139
Total Reserve Funds*	15,741,270	3,001,345	206,000	1,040,000	4,247,345	2,430,000	3,732,098	150,000	6,312,098	13,676,516

Approved by: Executive Manager Finance

Section 2 Financial Results

2.3 Investments Management Report

INVESTMENTS REPORT TO COUNCIL AS AT 30/04/2019

COUNTERPARTY	RATING	AMOUNT	INTEREST RATE	MATURITY DATE	DAYS TO MATURITY	INSTITUTION TOTALS	%COUNTER PARTY
People's Choice Credit Union	S&P A2	\$ 6.79	0.00%			\$ 6.79	0.00%
AMP	S&P A2	\$ 1,500,000.00	2.75%	August 28, 2019	120		
AMP	S&P A2	\$ 1,500,000.00	2.80%	November 6, 2019	190	\$ 3,000,000.00	15.26%
Auswide	Moody's P2	\$ 1,500,000.00	2.78%	May 8, 2019	8		
Auswide	Moody's P2	\$ 1,500,000.00	2.78%	May 22, 2019	22		
Auswide	Moody's P2	\$ 1,500,000.00	2.78%	July 3, 2019	64		
Auswide	Moody's P2	\$ 1,500,000.00	2.78%	July 31, 2019	92	\$ 6,000,000.00	30.51%
Bank of Queensland	S&P A2	\$ 1,500,000.00	2.78%	July 17, 2019	78		
Bank of Queensland	S&P A2	\$ 1,500,000.00	2.73%	October 9, 2019	162	\$ 3,000,000.00	15.26%
G&C Mutual Bank	S&P A3	\$ 1,500,000.00	2.55%	January 15, 2020	260	\$ 1,500,000.00	7.63%
National Australia Bank	S&P A1+	\$ 7,574.97	1.70%				
National Australia Bank	S&P A1+	\$ 155,572.46	1.70%				
National Australia Bank	S&P A1+	\$ 1,500,000.00	2.73%	June 5, 2019	36		
National Australia Bank	S&P A1+	\$ 1,500,000.00	2.78%	June 19, 2019	50		
National Australia Bank	S&P A1+	\$ 1,500,000.00	2.77%	August 14, 2019	106		
National Australia Bank	S&P A1+	\$ 1,500,000.00	2.46%	September 11, 2019	134	\$ 6,163,147.43	31.34%

TOTAL SHORT TERM INVESTMENT \$ 19,663,154.21 **Average Days to Maturity** 102.00

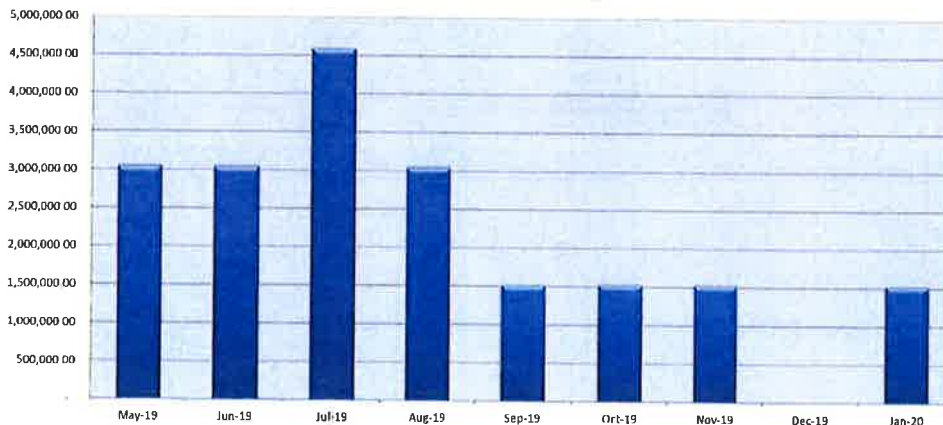
% OF TOTAL INVESTMENT PORTFOLIO A1 (max 100%) 30% A2/P2 (max 60%) 62% A3 (max 40%) 8% 100%

Weighted Average Rate 2.72% **BBSW 90 Day Rate Benchmark** 1.56%

GENERAL BANK FUNDS \$ 6,083,692.06 **Total Budget Investment Earnings** -\$ 400,000.00

TOTAL ALL FUNDS \$ 25,746,846.28 **Year to Date Investment Earnings** -\$ 428,435.05

Cashflow of Investments



PROPERTY INVESTMENT

PROPERTY ADDRESS	VALUATION BASIS	VALUE	INCOME YTD	EXPENSE YTD	NET PROFIT YTD	COMPARATIVE YTD YIELD AT CASH RATE OF 3%
48 Odegaard Drive, Rosebery	Fair Value	\$ 6,773,335	\$ 408,980	\$ 110,574	\$ 298,406	\$ 168,684

Approved by: Executive Manager Finance

Section 2 Financial Results 30 April 2019

2.4 Debtor Control Accounts

SUNDRY DEBTORS:						
	BALANCE	CURRENT	30 DAYS	60 DAYS	90 DAYS	OVER 90 DAYS
	281,981.05	80,140.00	1,962.19	199,824.55	(195.00)	249.31
BATES:						
REPORT MONTH	OVERDUE \$	Payments Received in Advance \$	OVERDUE % OF RATES INCOME			
Apr-19	\$1,456,249	\$765,178	5.20%			
Apr-18	\$1,370,946		4.95%			
TOTAL OVERDUE \$	Charged in 2018/2019	Charged in 2017/2018	Charged in 2016/2017	Charged in 2015/2016	Charged Prior to 2015/2016	
\$1,456,249	\$1,146,907	\$203,717	\$75,638	\$25,916	\$4,072	
INFRINGEMENTS:						
			\$			
Animal Infringements			122,040.44			
Public Places			10,433.00			
Parking Infringements			161,140.50			
Litter Infringements			875.00			
Signs			0.00			
Other Law and Order			0.00			
Net Balance on Infringement Debts			<u>294,488.94</u>			

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Section 2

Financial Results

2.5 - Financial Indicators

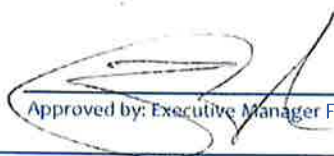
	Target	2019	2018	2017	2016	2015
Operating Surplus Ratio						
Total Operating Surplus/Deficit	0.00%	-23.08%	-26.12%	-5.16%	-39.40%	-20.18%
Total Operating Income						
This indicator shows the extent to which operational expenses are covered by operational income, and if in surplus, how much is available to use for other purposes such as capital expenses. This has been calculated from the forecast budget.						
Debt Service Ratio (External Loans)						
Net Debt Service Cost	<5%	0:00%	0:00%	0:00%	0:00%	0:00%
Operating Revenue						
A Council's debt service ratio shows Council's debts (principal + interest) in relation to Council's income. Palmerston currently has no loans payable, and therefore the debt ratio is 0:0						
Rate Coverage Percentage						
Rate Revenues	60%-75%	64.54%	61.38%	59.25%	60.02%	61.53%
Total Revenues						
This indicator shows the percentage of total revenue raised through rates income.						
Rates & Annual Charges Outstanding Percentage						
Rates & Annual Charges Outstanding	<5%	2.79%	3.47%	3.57%	3.16%	3.47%
Rates & Annual Charges Collectible						
This percentage shows Council's total rates outstanding against rates payable to Council in this financial year. The rate will decrease as instalment dates pass.						

SECTION 2**Financial Results****2.6 - Creditor Accounts Paid April 2019**

Creditor No.	Creditor Name	Amount \$
5023	National Australia Bank	1,500,000.00
V02033	G & C Mutual Bank	1,500,000.00
639	Cleanaway Pty Ltd.	448,932.99
V00848	Aldebaran Contracting Pty Ltd	423,500.00
549	City of Darwin	251,823.10
V01904	Veolia Environmental Service (Australia) Pty Ltd	189,412.10
5104	JLM Contracting Services Pty Ltd	162,047.52
2	Australian Taxation Office - PAYG	140,988.00
54	Powerwater	114,947.25
V00318	StatewideSuper Clearing House	105,056.63
V00295	Jacana Energy	94,675.80
1607	Sterling NT Pty Ltd	79,508.94
712	Paradise Landscaping (NT) Pty Ltd	74,921.35
53	Eggins Electrical	71,498.71
V01913	OrangeTek	71,120.50
5640	Think Water - Winnellie & Virginia	55,000.00
938	Nightcliff Electrical	54,163.23
798	YMCA of the Northern Territory	44,030.08
V00582	Ezko Property Services (Aust) Pty Ltd	34,879.28
V02015	Darwin Mazda	31,423.82
4355	Tonkin Consulting	31,044.75
V01860	Hays Specialist Recruitment (Australia) Pty Ltd	31,025.15
87	Industrial Power Sweeping Services Pty	29,340.94
V00476	Water Dynamics (NT) Pty Limited	27,310.34
V01643	KPMG	26,784.45
V00773	Akron Group NT Pty Ltd	26,027.80
V01748	FE Technologies Pty Ltd	25,218.60
V01341	Fyfe Pty Ltd	17,215.00
V01982	Telensa Systems Pty Ltd	16,335.00
5254	True North	14,979.94
V01022	Quality Plumbing & Building Contractors Pty Ltd	14,784.93
V00368	iWater NT	14,516.15
V01590	MSKK Pty Ltd T/A Trojon Contractors	14,150.40
V01920	Tenite Pty Ltd T/as B&K Revegetation & Landscaping	13,600.40
26	Viva Energy Australia Ltd	13,060.66
47	Telstra Corporation Ltd	12,650.90
V01848	Invision NT Pty Ltd	12,562.25
3438	NT Shade & Canvas Pty Ltd	12,045.00
3936	Arafura Tree Services and Consulting	12,012.00
V01619	Merit Partners Pty Ltd	11,935.00
V01593	Mercer Consulting (Australia) Pty Ltd	11,891.00
V01812	C R Campbell - Electrical and Data Contractors	10,637.00
V00694	Subscribe-Software Pty Ltd	10,228.91
V01835	Deloitte Private Pty Ltd	9,657.45
V01009	Australian Parking and Revenue Control Pty Limited	9,322.43
V00599	Athina Pascoe-Bell	8,980.58
5	Australia Post	8,853.99
V01943	Hayden Quinn Pty Ltd	8,721.80
2161	GHD Pty Ltd	8,442.56
2587	Top End RACE	8,289.65
V02004	Skinnyfish Music Pty Ltd	8,187.08
48	Top End Line Markers Pty Ltd	7,928.80
3880	PAWS Darwin Limited	7,666.66
5508	Open Systems Technology Pty Ltd - CouncilFirst	7,598.25
5615	EcOz Environmental Consulting	7,085.64

Creditor No.	Creditor Name	Amount \$
V02029	Server Room Specialists	6,732.00
5136	RMI Security	6,176.67
2009	The Big Mower (NT) Pty Ltd	5,738.85
V00250	Ward Keller	5,715.60
4561	Bendesigns	5,703.50
5011	A&J Communications	5,685.74
V02024	TAFE NSW	5,210.00
V01486	Brainium Labs Pty Ltd	5,150.00
3788	HPA Incorporated	5,025.00
5117	SUNBUILD PTY LTD	5,000.00
3313	Zip Print	4,834.50
V00271	Fuji Xerox Business Centre NT	4,768.36
V01602	Humpty Doo Trees - (Tyson Newcombe)	3,932.50
4065	Southern Cross Protection Pty Ltd	3,918.53
5575	Clayton Utz	3,850.00
V00343	MAGIQ Software Ltd. T/A - NCS Chameleon Ltd	3,754.12
V01615	Autopia Management Pty Limited	3,729.12
V00839	Fantastic Furniture Pty Ltd	3,672.00
3787	Total Event Services T/A Top End Sounds P/L	3,472.70
V01911	Darwin Plant Wholesalers	3,352.80
V00022	Officeworks	3,250.90
V01579	Damian Hale	3,246.55
V00279	CAM Interiors	3,157.00
V01948	Scorptec Computers -Scorpion Technology Unit Trust	3,155.00
V01570	Sarah Louise Henderson	3,096.75
V00939	Defend Fire Services Pty Ltd	3,072.96
V02028	Jimmie Van Zyl Croeser - Lets Go Kids WA/NT	2,915.00
4007	Ark Animal Hospital Pty Ltd	2,864.14
V00073	Off the Leash	2,695.00
V02014	Campaign Edge Sprout Pty Ltd	2,640.00
V01846	Dell Australia Pty Limited	2,630.65
5272	Greville Fabrication Pty Ltd	2,551.56
V01584	Salary Packaging Australia	2,334.78
V01573	Amber Garden	2,329.89
V00315	HWL Ebsworth Lawyers	2,286.90
256	The Bookshop Darwin	2,261.00
274	CSG Business Solutions (NT) Pty Ltd	2,161.36
V00228	Outback Tree Service	2,150.50
2199	SBA Office National	2,133.89
V01569	Benjamin Giesecke	2,113.22
V01324	Leighs Catering	2,085.60
V01574	Dr Thomas A Lewis OAM	2,046.55
V01571	Michael Spick	1,896.55
350	IBM Global Financing Australia Limited	1,783.33
V01572	Lucy Buhr	1,746.55
3098	Roadshow Films Pty Ltd	1,650.00
V01549	We're The Glue Pty Ltd	1,635.92
2336	Flick Anticimex Pty Ltd	1,617.79
3099	Iron Mountain Australia Pty Ltd	1,604.35
V01483	OfficeMax	1,595.34
2915	Territory Uniforms	1,492.62
V01813	Steven Ball	1,452.00
V01773	The Learning Express	1,421.43
36	Darwin Lock & Key	1,406.79
5435	Access Hardware (NT) Pty Ltd	1,377.31
V00185	Brooke Prince	1,344.00
4912	Remote Area Tree Services Pty Ltd	1,342.00
V01663	Jape Furnishing Superstore	1,330.00
V01541	Hire Power NT	1,324.53
5357	Amiable Communications - Amy	1,320.00

Creditor No.	Creditor Name	Amount \$
V01983	Integrated RF Solutions t/a ITS Communications	1,262.00
272	City Wreckers	1,232.00
V01375	RE & LG Waters	1,200.00
V01810	Jacana Energy - Payroll Deductions	1,120.00
5036	Dormakaba Aust P/L T/as Territory Door Services	1,100.89
V01785	M&S Mowing Plus	1,089.00
4679	iSentia Pty Ltd	1,080.42
V01928	Amart Furniture	1,068.00
2124	Food'll Do Catering Darwin (Grinners Catering)	1,030.00
22	Norsign Pty Ltd	1,025.75
2965	KIK FM Pty Ltd	1,015.00
V01984	Madeleine Brown	985.00
V01691	Blackwoods	975.56
V01565	Waste and Management Services Pty Ltd	962.50
4871	Reface Industries	953.25
V01234	Mulga Security	888.80
V00443	Top End Hydraulic Services P/L T/A Forecast Machin	886.00
5611	Steelmans Tools and Industrial Supplies	885.78
V00730	The Burning Circus	880.00
V01118	Wilson Security Pty Ltd	842.93
4737	D & L Plumbing & Gasfitting	759.00
V01420	CENTRELINK (PAYROLL)	756.86
4145	International Quadratics & Pierce Pool Supplies	740.30
V01987	Carolyn Macdonald	660.00
V02020	Dakoda Dalton	630.00
V00334	Zumba with Adrijana	600.00
2977	Security & Technology Services P/L	583.00
5713	Clean Fun T/A Giggling Geckos Jumping Castle Hire	550.00
185	Bridge Toyota	540.31
V02005	Satay Time	525.00
536	TIO - Territory Insurance Office	500.00
V01997	Vietnamese Community In Australia - NT Chapter Inc	500.00
V01999	Meow Waffles Cafe	500.00
V01826	Tick of Approval Pty Ltd	495.00
V01389	Darwin Argos Painting	456.00
V00258	Real Estate Central	441.00
4662	G & T Electrical Enterprises	440.00
V01452	CrossFit Palmerston	440.00
395	Elders Real Estate Darwin	435.00
4731	Yeni Redding	432.00
V01065	Forever Fitness and Training - (AL & MN Dainty)	425.00
V01272	Storytime Pods Pty Ltd	403.04
215	Employee Assistance Services NT Inc (EASA)	394.94
4398	Quality Indoor Plants Hire	393.33
V00542	Industry Health Solutions	380.00
V00200	Hidden Valley Ford (Red Earth Automotive P/L)	377.00
3428	Bunnings Group Limited	357.95
V01068	Everlasting Health	330.00
35	WINC Australia Pty Limited	324.94
V01825	Louise Ellen Nutrition	320.00
V01604	Fitness is Within	300.00
V00781	Vanguard Homes	299.00
123	Kerry's Automotive Group	295.00
3683	Area9 IT Solutions	270.60
V02016	Max Garton	250.00
4678	Allabout Party Hire & Events - Darwin Party Hire	247.60
V01941	Kandarp Vyas	235.00
1502	Figleaf Pool Products	220.00
617	Barnyard Trading	215.16
895	Bakewell Primary School	200.00

Creditor No.	Creditor Name	Amount \$
V02041	Rodney Greenwood	200.00
V02042	Journey Early Learning	200.00
5315	Adamant Property Services Pty Ltd	165.00
5678	Super Highway Express Pty Ltd atf The	165.00
4735	Palmerston and Rural Party Hire	157.00
5551	Active Tree Services Pty Ltd	156.59
V02007	Leslie Gordon T/a Larrakia Cultural Activities	150.00
V01850	Sam Eyles Refrigeration and Air Conditioning P/L	137.50
V00128	Kiki Troumouliaris	125.00
V02017	Muhammad Zeeshan Iqbal	125.00
V02032	Erinlee Hertel-Smith	125.00
V02040	Syamkumar	125.00
V01255	CMO Trading Pty Ltd T/a Acromat	119.35
V00348	BH Communications & Cabling	110.00
201	Spotless Facility Services Pty Ltd (T/A Ensign)	105.05
3504	Raeco International Pty Ltd	103.24
V02037	Shane Dark	100.00
V01985	Booked Out Agency Pty Ltd	99.00
V00994	Frangipani Farm	80.00
4856	Portner Press Pty Ltd	77.00
V01853	Jiri Heider	73.07
59	City of Palmerston	71.10
V00284	Wheeler's Books	64.76
4508	News 4 U	64.45
V00907	Univets Pty Ltd	60.00
V01401	Save the Children Australia	60.00
18	Integrated Land Information System	54.80
V01938	Payment Express Australia Pty Ltd	49.50
2017	Signs Plus	45.50
V02021	Genevieve Anne Griffin (Crowley)	45.00
V02031	Ruth E Finn (Cartwright)	40.46
V01769	Snows Run (NT) Pty Ltd T/as Territory Green Waste	40.00
V02013	Craig James Spiesel	39.39
V02011	Robert Woodfield	17.50
V02012	Bonnie McDougall	17.50
V00614	RTM - Dept. of the Attorney General and Justice	10.00
		6,179,045.13
Percentage of works undertaken by local suppliers (excludes investments placed)		88%
 Approved by: Executive Manager Finance		

SECTION 2

Financial Results

2.7 - Creditor Accounts Outstanding		April 2019
Creditor No.	Creditor Name	Amount \$
V01849	Stadium Sports Surfaces SA/NT Pty Ltd	46,530.00
5104	JLM Contracting Services Pty Ltd	33,209.05
V00228	Outback Tree Service	23,424.50
3683	Area9 IT Solutions	19,834.58
V01835	Deloitte Private Pty Ltd	18,696.57
V00773	Akron Group NT Pty Ltd	17,794.17
V00476	Water Dynamics (NT) Pty Limited	13,726.45
V00318	StatewideSuper Clearing House	12,016.19
53	Eggins Electrical	11,243.62
V01937	Australis Advisory Group Pty Ltd	9,020.00
V01856	The Landscape Studio	8,316.00
938	Nightcliff Electrical	8,048.75
4355	Tonkin Consulting	6,850.25
V00939	Defend Fire Services Pty Ltd	5,387.01
V01865	Irma Lamaya trading as Co Lab Architecture	4,950.00
V00368	iWater NT	4,152.50
V02039	Humpty Doo Trees Pty Ltd	3,916.00
V00925	Callum Payne Pty Ltd Trading as ESPEC	3,744.68
V01920	Tenite Pty Ltd T/as B&K Revegetation & Landscaping	2,992.00
4561	Bendesigns	2,946.90
2587	Top End RACE	2,924.02
5410	Majestix Media Pty Ltd	2,637.16
V01860	Hays Specialist Recruitment (Australia) Pty Ltd	2,420.88
1502	Figleaf Pool Products	2,319.00
V01904	Veolia Environmental Service (Australia) Pty Ltd	2,270.40
V02046	Ray White City (NT)	2,182.00
V00682	Leigh Dyson Plumbing	2,106.50
V01995	ASAP Cabinetmaking and Maintenance Pty Ltd	2,026.20
V01812	C R Campbell - Electrical and Data Contractors	1,936.00
3438	NT Shade & Canvas Pty Ltd	1,870.00
48	Top End Line Markers Pty Ltd	1,595.00
V01697	Roussos Legal Advisory	1,532.30
V00193	Amcom Pty Ltd	1,494.14
36	Darwin Lock & Key	1,406.79
3313	Zip Print	1,336.50
V02014	Campaign Edge Sprout Pty Ltd	1,320.00
256	The Bookshop Darwin	1,317.97
5036	Dormakaba Aust P/L T/as Territory Door Services	1,289.20
V01829	Master Blaster High Pressure Cleaning	1,265.00
3034	Australian Local Government Association Limited	1,239.00
3936	Arafura Tree Services and Consulting	1,188.00
V01161	Medimobile Pty Ltd	1,180.30
5315	Adamant Property Services Pty Ltd	957.00
V02034	NT Fasteners Pty Ltd	879.00
V01694	NT Advertising and Distribution	850.30
4825	OracleCMS	810.95
V01483	OfficeMax	748.65
V01810	Jacana Energy - Payroll Deductions	560.00
87	Industrial Power Sweeping Services Pty	528.00
V02045	Daniel Courtney	467.00
V01420	CENTRELINK (PAYROLL)	378.43
V01773	The Learning Express	371.30
3428	Bunnings Group Limited	349.40

Creditor No.	Creditor Name	Amount \$
35	WINC Australia Pty Limited	348.95
215	Employee Assistance Services NT Inc (EASA)	310.00
272	City Wreckers	308.00
4065	Southern Cross Protection Pty Ltd	290.08
2915	Territory Uniforms	280.67
V01850	Sam Eyles Refrigeration and Air Conditioning P/L	268.64
4398	Quality Indoor Plants Hire	242.60
5551	Active Tree Services Pty Ltd	207.66
112	Beaurepairs	179.00
2977	Security & Technology Services P/L	165.00
V01985	Booked Out Agency Pty Ltd	165.00
3788	HPA Incorporated	155.00
V01691	Blackwoods	104.69
5611	Steelmans Tools and Industrial Supplies	99.00
V00890	Laundryplus	75.00
201	Spotless Facility Services Pty Ltd (T/A Ensign)	72.63
V01573	Amber Garden	66.67
V00902	Coles Motors	65.00
V02047	Daniel Venworth	45.00
		306,004.20



Reviewed by: Executive Manager Finance

Section 2 Financial Results

2.8 - Waste Charges as at 30 April 2019

Waste Management

	Revised Budget \$	YTD Actuals \$	Commitment \$	Total YTD Actuals plus Commitments \$	%
Income					
Rates & Charges	6,999,791	6,999,649	-	6,999,649	100.00%
Income	6,999,791	6,999,649	-	6,999,649	100.00%
Expenditure					
Employee Costs	(373,463)	-	-	-	0.00%
Office Administration Expenditure	-	(1,025)	-	(1,025)	0.00%
Professional Services	(65,000)	(19,568)	(35,461)	(55,029)	84.66%
Educational Resources	(50,000)	(14,405)	-	(14,405)	28.81%
Utilities	(14,293)	(7,656)	-	(7,656)	53.56%
Street Sweeping	(307,000)	(206,865)	(84,554)	(291,419)	94.92%
Litter Collection	(193,515)	(161,952)	(14,621)	(176,574)	91.25%
Domestic Bin Collection	(2,548,756)	(1,963,724)	(382,242)	(2,345,966)	92.04%
Kerb Side Collections	(98,000)	(116,706)	-	(116,706)	119.09%
Tip Recharge Domestic Bin collection	(632,950)	(444,614)	(187,077)	(631,690)	99.80%
Transfer Station	(1,595,000)	(859,089)	(479,285)	(1,338,374)	83.91%
Loan Repayments	(92,200)	-	-	-	0.00%
Tip Recharge Transfer Station	(325,145)	(268,807)	(56,205)	(325,012)	99.96%
Expenditure	(6,295,322)	(4,064,410)	(1,239,446)	(5,303,856)	84.25%
Profit/(Loss)	704,469	2,935,239	(1,239,446)	1,695,793	

Expenditures not included in reconciliation are waste related depreciation, overheads and capital works.



Approved by: Executive Manager Finance

Section 2

Financial Results

30 April 2019

2.9 - Commercial Leases as at Commercial Leases

	Revised Budget \$	YTD Actuals \$	Commitment \$	Total YTD Actuals plus Commitments \$	%
Income					
Library Services	32,040	26,506	-	26,506	82.73%
Director Corporate Services	65,976	55,166	-	55,166	83.61%
Aquatic Centre	32,280	25,764	-	25,764	79.81%
Civic Centre	151,304	118,907	-	118,907	78.59%
Income	281,600	216,343	-	216,343	80.38%
Expenditure					
Director Corporate Services	(11,520)	(5,057)	-	(5,057)	43.90%
Expenditure	(11,520)	(5,057)	-	(5,057)	43.90%
Profit/(Loss)	270,080	221,286	-	221,286	

Library Services includes lease held by Mosko's Market

Aquatic Centre includes the lease held by Tang Soo Do

Civic Centre includes the lease held by Adult Mental Health

Director of Corporate Services includes the leases held by Peter McGrath and Palmerston Re-Engagement Centre

McGees Management Fees charged to Director of Corporate Services each month


Approved by: Executive Manager Finance

Section 2 Financial Results

30 April 2019

2.10 - Internal Loan: Making the Switch

Making the Switch Expenditure

	Revised Budget \$	YTD Actuals \$	Commitment \$	Total YTD Actuals plus Commitments \$	% Utilised
Expenditure					
LED Lighting PROJECT-3 Making the Switch	150,000	129,183	1,057,311	1,186,494	791.00%
Expenditure	150,000	129,183	1,057,311	1,186,494	791.00%

The current revised budget for *Making the Switch* is \$150,000, broken down into the following: \$60,000 funded from the Strategic Initiatives Reserve (Council Decision Number 8/3034 - 20/02/2018); a further \$90,000 allocated in the First Budget Review 2018/19 (9/0337 - 06/11/2018) as the first instalment of the internal loan.

Making the Switch Internal Loan

	Internal Loan \$	Expended from Loan \$	Interest on Loan \$	Total \$	% Utilised
Expenditure					
LED Lighting PROJECT-3 Making the Switch	90,000	69,183	148	69,331	77.03%
Expenditure	90,000	69,183	148	69,331	77.03%



Approved by: Executive Manager Finance

AGENDA ITEM:	13.1.3
REPORT TITLE:	Northern Territory Government Exposure Draft Liquor Bill 2019
REPORT NUMBER:	9/0236
MEETING DATE:	21/05/2019
AUTHOR:	Acting Director Lifestyle and Community, Amelia Vellar
APPROVER:	Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

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

PURPOSE

This report presents the Council staff submission to the Northern Territory Government (NTG) Exposure Draft Liquor Bill 2019.

KEY MESSAGES

- The NTG sought feedback on the Exposure Draft Liquor Bill 2019 closing on 26 April 2019.
- The consultation timeframes did not provide an opportunity to seek Council input on the submission.
- City of Palmerston (staff) lodged a submission supporting the Exposure Draft Bill and identified several further considerations.
- The submission also reserved Council's right to alter its views in future consultation.
- The Exposure Draft of the Liquor Bill 2019 was considered by Parliament week of 13 May 2019.

RECOMMENDATION

THAT Report Number 9/0236 entitled Northern Territory Government Exposure Draft Liquor Bill 2019 be received and noted.

BACKGROUND

The NTG Riley Review recommended that the *Liquor Act 1978* be re-written.

NTG has undertaken a review and produced the Exposure Draft Liquor Bill 2019. The NTG has advised that the rewrite achieves 70 recommendations of the 2017 Alcohol Policies and Legislative Review final report (the Riley Review). The Draft Bill can be viewed in full at <https://alcoholreform.nt.gov.au/liquor-bill>.

The NTG undertook consultation on the Draft Bill concluding on 26 April 2019.

The tight timeframes resulted in Council being unable to consider the Draft and making its own submission.

However, Council staff did make a submission and this report provides that submission for Council's information.

DISCUSSION

The NTG undertook consultation on the Exposure Draft Liquor Bill 2019 including public and specific stakeholder information sessions.

The government has also recently made changes to the *Liquor Act (1978)*, and that these continue in the proposed Bill, being:

- The establishment of the independent Northern Territory Liquor Commission;
- The introduction of the minimum floor price for liquor products;
- The introduction of a community impact and public interest test for liquor licence applications;
- Improved powers in relation to police auxiliary Liquor Inspectors and point of sale duties outside takeaway premises;
- The introduction of a 48 hour licence suspension power for police in specific circumstances; and
- The legislating of a 5 year moratorium on any new takeaway liquor licences.

A number of NTG fact sheets relating to the Draft Bill are provided as **Attachment A**.

Due to the consultation timeframes and Council scheduled meetings, Council was unable to consider the Draft Bill.

Council staff undertook a review and the City of Palmerston lodged a submission. The City of Palmerston was provided with a minor extension to the submission closing date until Monday, 29 April 2019. The City of Palmerston submission is provided as **Attachment B**.

The submission noted that the views were those of the City of Palmerston staff and not the Council.

The submission further noted that Council reserves the right to make further and / or alternate submissions in future consultation and processes such as the Scrutiny Committee.

The City of Palmerston supports the Exposure Draft Liquor Bill 2019, which provides a coherent framework for the operation of the liquor industry. The review of the *Liquor Act 1978* is considered timely following the Riley Review, and current social views and issues.

The Bills purpose being *"to minimise the harm associated with the consumption of liquor that recognises the public's interest in the scale, supply, service, promotion and consumption of liquor"* is also supported.

The submission included a number of comments regarding the Draft Bill for consideration and further amendments. These were in the area of:

- Standing Hearings;
- Community Impact Assessment Guidelines;
- Public Notice of Application;
- Objecting to an Application;
- Register of Licensees; and
- Restricted Premises.

Natasha Fyles, Leader of Government Business issued a media release on 13 May 2019 as at **Attachment D**, advising that:

- The Liquor Bill 2019 will be introduced into Parliament, week commencing 13 May 2019.
- The Bill provides a robust regulatory framework through its primary purpose of harm minimisation.
- During consultation over 20 formal submissions have been received.
- The public will have a further opportunity to comment through the Scrutiny Committee process.

CONSULTATION PROCESS

There was no consultation required during the preparation of this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

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

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

The process for the Passage of Bills is provided at **Attachment C**.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

ATTACHMENTS

- Attachment A:** Northern Territory Government Exposure Draft Liquor Bill 2019 – Fact Sheets
Attachment B: City of Palmerston Submission
Attachment C: Passage of Bills – Northern Territory Legislative Assembly
Attachment D: Media Release, Natasha Fyles Leader of Government Business (13 May 2019).

Exposure Draft Liquor Bill 2019

Overview of Major Changes



Introduction

The Alcohol Policies and Legislation Review Final Report (the Riley Review) recommended that the *Liquor Act 1978* be re-written (recommendations 2.1.1 – 2.1.3) to provide a coherent framework for the operation of the liquor industry within harm minimisation principles, and to remove confusing and inconsistent provisions in the current Act. This fact sheet is a quick guide to key proposed changes. Additional fact sheets on particular aspects of the legislation are also available at alcoholreform.nt.gov.au.

What are the key changes in the exposure draft Bill?

The role of the Director of Licensing re-established

The statutory office of the Director-General has been abolished and the position of the Director of Licensing re-established.

The Director of Licensing has the following legislated functions (under Part 2 of the Bill):

- To participate in proceedings before the Liquor Commission in relation to licences, liquor accords and compliance
- To provide educational and informative materials to licensees regarding the operation of the Act and compliance with its provisions
- To maintain the register of licensees
- To supervise inspectors and the performance of their functions
- To monitor compliance with the Act and investigate complaints
- Any other functions conferred on the Director under this or any other Act

The Director of Licensing has the powers necessary to perform the Director's functions.

The proposed Bill also provides that the Director of Licensing has the ability to delegate any of their powers and functions to a public sector employee. This means that the Liquor Commission will be able to focus on the more serious or complex matters and allow the Director of Licensing and other officers to undertake administrative functions without undue delay.

The Liquor Commission is the primary independent decision maker under the Act.

Changes relating to the Liquor Commission

Public Hearings

The proposed Bill provides that the Liquor Commission 'may' conduct a public hearing in relation to any matter on which it is to make a decision under the Act. This is necessary as some matters do not require a public hearing and under the current provision the Commission was forced to hold public hearings for trivial matters which generated unnecessary cost and undue hardship on parties.

The Commission still determines its own rules and procedures in relation to hearings, is not bound by the rules of evidence and may inform itself in any manner it considers appropriate.



Liquor licences and authorities

The Riley Review found standardisation of licence types should be a goal under a new Liquor Act.

The proposed Bill has sought to achieve this through the introduction of 'licence authorities'. Essentially, under the proposed Bill, the Liquor Commission may issue a 'licence', with one or more 'authorities'.

The 24 authorities set out under clause 39 of the proposed Bill are as follows:

- a. Small bar authority – which authorises the licensee to sell liquor to no more than 100 patrons for consumption on the licensed premises with or without the consumption of food.
- b. Restaurant authority – which authorises the licensee to sell liquor to patrons for consumption on the licensed premises with the consumption of food.
- c. Restaurant bar authority – which authorises the licensee to sell liquor to patrons for consumption with or without the consumption of food, in a small area of the premises licensed under a restaurant authority.
- d. BYO authority – which authorises the licensee to serve liquor brought by a patron for consumption with food provided by the licensee on the licensed premises.
- e. Takeaway liquor authority – which authorises the licensee to sell liquor products to customers for consumption away from the licensed premise
- f. Lodging liquor authority – which authorises the licensee to sell liquor to guests staying at the licensee's accommodations for consumption on or off the premises
- g. Wayside Inn liquor authority – which authorises the licensee to sell liquor to guests staying at the licensee's accommodations and patrons who are not guests for consumption on the licensed premises
- h. Casino liquor authority – which authorises the licensee to sell liquor to patrons in a casino for consumption on the licensed premise
- i. Special venture liquor authority – which authorises the licensee to sell liquor to patrons as part of a tourism service provide to the patrons by the licensee
- j. Producers authority – which authorises the licensee to sell some of the liquor produced by the licensee to patrons visiting the producer's manufacturing premises for consumption on or off the premises
- k. Club authority – which authorises the licensee to sell liquor to members of a club operated by the licensee, guests of members and visitors of the club for consumption on the licensed premises and which does authorise the licensee to hold a licence under the *Gaming Control Act 1993*
- l. Community Club authority – which authorises the licensee to sell liquor to members of a club operated by the licensee, guests of members and visitor of the club, for consumption on the licensed premises but which does not authorise the licensee to hold a licence under the *Gaming Control Act 1993*
- m. Catering authority – which authorises the licensee to sell or supply liquor to patrons for consumption, in conjunction with food being catered by the licensee, on premises where the licensee has the consent of the owner or occupier of the premises
- n. Public bar authority – which authorises the licensee to sell liquor to patrons for consumption on the licensed premise
- o. Wholesale liquor authority – which authorises the licensee with another authority to sell liquor to other licensees
- p. Major event liquor authority – which authorises the licensee to sell liquor to patrons attending a single event that is expected to have at least 1500 attendees, or have a significant effect on public transport or local amenities, or will require a more than usual amount of emergency services or police supervision
- q. Community event liquor authority – which authorises the licensee to sell liquor to patrons at events organised by the licensee on a regular but infrequent basis for consumption on the licensed premise
- r. Store authority – which authorises the licensee to sell liquor products to customers for consumption away from the license premises, which are part of or attached to the licensee's primary business of selling groceries or other non-liquor products
- s. Special event liquor authority – which authorises the licensee to sell liquor to patrons attending a single event that is expected to have less than 1500 attendees
- t. Late night authority – which authorises the licensee to sell liquor to patrons for consumption on the licensed premises during one of the following periods: from 12:00am to 2:00am; or from 12:00am to 4:00am



- u. Live entertainment authority – authorises the licensee to provide live entertainment to patrons on the licensed premises
- v. Adult entertainment liquor authority – which in conjunction with a public bar authority, authorises the licensee to have employees who work dressed in sexualised clothing or topless
- w. Adult entertainment R-rated liquor authority – which is an adult entertainment liquor authority that authorises the licensee to also provide strip shows, R-rated entertainment and full nudity on the licensed premise
- x. Adult entertainment explicit authority – which is an adult entertainment liquor authority that authorises the licensee to also provide general and private strip shows, R-rated entertainment, fully nude staff or entertainers, non-sexual contact between entertainers and patrons, and voluntary audience participation in the entertainment on the licensed premise

Once the Bill comes into force, existing licences will need to transfer to the new system of authorities. Licensing NT will work with existing licensees to identify which authorities existing licences should have under the new regulatory framework. Government acknowledges that this process will take some time and a transition period for existing licences has been established.

A separate fact sheet about this transition process and the new Risk Based Licensing Framework is available at alcoholreform.nt.gov.au/.

Authority conditions will be found in the Act itself (standard conditions common to all authorities), in the Regulations (conditions specific to each authority) and special conditions (issued to an individual licence by the Minister or the Liquor Commission).

A new BYO (bring your own) authority

Businesses offering BYO in the Territory have never been required to hold any permits or licences.

The Riley Review recommended that businesses that offer BYO should be licensed and covered by the regulatory framework for liquor. This will ensure that basic responsible service of alcohol (RSA) requirements would be enforceable by Police and Licensing Inspectors. A transition period for businesses to apply for a BYO authority will apply.

Businesses will have until 1 June 2021 to apply for a BYO authority. The proposed annual fee for a BYO authority is \$100 (with discounts available).

Limited period licences

Clause 78 provides that the duration of a licence is set by the Commission. This allows the Liquor Commission to issue a licence for any period providing flexibility for those applicants only requiring a licence for a set period.

For instance a tourist park may only operate during the dry season and therefore can seek a licence for 6 months of the year and reduce their annual fee accordingly.

Annual Risk Based Licensing Fees and application fees

The NT is the only jurisdiction not to impose annual liquor licensing fees.

The RBL Framework is based on the authorities that attach to a venue's licence. Each authority will have its own conditions (to be set out in the Liquor Regulations) and a risk classification.

The risk classification for each authority forms the base fee in the RBL Framework.

The RBL Framework is a tiered volume model (similar to the ACT's model) which uses the formula:

$$\text{Licence fee} = [(base\ fee \times tier\ multiplier \times hours\ multiplier) - discounts] \times breach\ loading$$

Key elements of the RBL Framework are:

- The base fee is based on the risk classification of the authorities.
- Increasing of the annual fee if the venue operates for longer than an authority's average hours, or a reduction in the annual fee if the venue operates for less than average hours for that authority.
- Reduction in the annual fee if a venue implements one or more of the discounting measures.
- Significant increases in an annual fee if a venue is found to have breached its liquor licence or to have committed an offence against the *Liquor Act* during the relevant period.
- A transition period for the implementation of the RBL Framework will be set by Government, with Licensing NT to issue the first invoices for annual fees on 1 October 2020, with payment due by 2 January 2021.

A comprehensive fact sheet explaining the RBL Framework and an online calculator for businesses to estimate their annual fee is available from alcoholreform.nt.gov.au/.

Government has also determined that all revenue raised from RBL annual fees is to be used for alcohol education, research or evaluation in the alcohol harm minimisation space.

Application fees

The current application fees for liquor licences under the *Liquor Act 1978* are as follows (noting that there are additional police check fees):

APPLICATION TYPE	CURRENT FEE	REVISED FEE
Liquor licence application	\$200.00	No change
Special liquor licence application	\$20.00	No change
Continuing special liquor licence	\$20.00	No change
Continuing special licence renewal	\$20.00	No change
Wholesale liquor registration – 1 year	\$20.00	No change
Wholesale liquor registration – 3 years	\$20.00	No change
Wholesale liquor registration – 5 years	\$100.00	No change
Transfer liquor licence	\$2.00	\$100.00

Liquor licensing fees will be set out in the new Liquor Regulations, and will also be subject to annual indexation.

Government has determined that the fee for transferring a liquor licence should increase from \$2.00 to \$100.00 providing more consistency across the Northern Territory's current application fee regime.

The increased transfer fee will commence when the new Liquor Act commences later this year.

Application process for liquor licences

Under the Bill, a person applies to the Liquor Commission for a licence or authority.

The application is lodged with the Director of Licensing (clause 43).

Changes have been made to the application process to build in time frames for specific acts in relation to the processing of the application. A separate fact sheet outlining the flow chart for the application process under the Bill can be accessed at alcoholreform.nt.gov.au/.

Public interest and community impact assessment

The 'public interest and community impact test', is the test the Liquor Commission applies when making a determination under the Act. It was included in the *Liquor Act 1978* when the Liquor Commission was established, in line with Riley Review recommendations.

The relevant provisions have re-structured so it is clearer for all parties as to how an assessment is made concerning public interest and community impact for matters under the *Liquor Act*.

Public interest and community impact guidelines continues under the Bill (clause 42). The guidelines provide further assistance in the assessment of the potential impact of issuing a licence or an authority on the community.

Substitution of premises

Clause 68 of the Bill provides that if a licensee wishes to substitute other premises for the licensed premises the licensee must apply for a new licence for those new premises, unless the Commission is satisfied that:

- No significant change in the operation of the business will occur as a result of the substitution; and
- The other premises satisfy the public interest and community impact requirements.

Complaint process

The Bill sets out the process for complaints against licensees in Part 7. Similar to the application process, time frames have been incorporated into the complaint process. A separate fact sheet on complaints is available at alcoholreform.nt.gov.au/.

Definition of 'intoxicated'

Feedback received from regulatory agencies and industry made it clear that the existing definition of 'intoxicated' under the Act needed to be considered. As a result, the Bill now contains the following definition of 'intoxicated', which is similar to that in use under the *Police Administration Act 1978*:

A person is to be taken to be intoxicated if:

- a. The person's speech, balance, coordination or behaviour appears to be noticeably impaired; and
- b. It is reasonable in the circumstances to believe the impairment results from the person's consumption or use of liquor or a drug.

The key change is the inclusion of 'or a drug'. This change makes it clear that a licensee is able to remove someone from its premises if they are intoxicated not only through alcohol, but also drugs.

Definition of 'liquor' and provisions relating to inedible substances containing alcohol (e.g. mouthwash)

The definition of liquor has been broadened to ensure it captures alcohol products such as frozen icy-poles and alcohol powders. Part 6 Division 5 of the Bill also provides for provisions relating to the control of inedible substances containing alcohol (for instance, mouthwash), which unfortunately are subject to abuse by problem drinkers. Clause 140 of the Bill provides that a person must not consume such a product in a public place and if they are, the Police may search them (in accordance with clause 196) and the substance may be seized and disposed of.

Improving responsible service of alcohol (RSA) requirements

Clause 126 includes the requirement for a licensee to ensure that every employee whose responsibilities involve serving patrons or supervising the serving of patrons holds a responsible service of alcohol certificate and completes a refresher course if the certificate is more than 3 years old. New employees now have 7 days to obtain an RSA certificate.

Infringement notices for liquor offences

Infringement notices can be issued by both Police and Licensing Inspectors for a range of offences under the legislation.

Prohibiting and restricting promotion of irresponsible drinking

Clause 132 of the Bill provides clear powers to the Director of Licensing to direct a licensee in regards to conduct relating to irresponsible drinking. A failure to comply with the direction would be a breach of licence (as per clause 75 – Implied conditions).

Clause 133 provides that the Director of Licensing can issue a direction to prohibit or restrict the sale, supply or service of any liquor product that, in the opinion of the Director, appeals to minors.

In addition, clause 18 of the Bill provides for the Liquor Commission to issue Codes of Practice in relation to a number of matters, including the advertising and promotion of liquor products by licensees and the conduct of business under a licence or authority. Compliance with a Code of Practice is a condition of a licence.

The Liquor Commission is currently reviewing existing Codes of Practice and it is anticipated these will transfer under the new legislation.

Offences and penalties

The existing offences and penalties in the *Liquor Act 1978* have been reviewed. Offences which had not previously been made compliant with criminal responsibility provisions in Part IIAA of the Criminal Code have been made compliant and penalties increased for a number of offences in line with the Riley Review recommendations and to reflect modern standards. This includes:

- increasing the maximum penalty for sale or supply of a person intoxicated to 200 penalty units
- sale or supply of liquor to children on a licensed premises to 200 penalty units
- contravening the prohibition applying to general restricted areas to 200 penalty units
- increasing the penalty for licensees contravening licence conditions to 200 penalty units.

As with many regulatory schemes there are a number of strict liability offences such as offences relating to failure to comply with directions or failure to lodge notices. New offences have been inserted, such as unauthorised supply or service of liquor in clause 38 of the Bill given the new requirement to hold a licence for premises allowing BYO. Other offences which are no longer required, such as offences relating to regulated places and public restricted areas (which will no longer exist) have been removed.

Public Restricted Areas, Alcohol Protected Areas, General Restricted Areas, Special Restricted Areas, Restricted premises and the 2km law (Regulated places)

The Riley Review was rightly critical of the complex framework in place restricting the consumption of alcohol in public and private spaces. Currently, a significant portion of all major centres are covered by a mix of Public Restricted Areas and the 2km law (Regulated Places).

The Bill tries to simplify the regulatory framework for public places by:

- Clause 158 (No consumption in prohibited public places), which provides that a person must not consume liquor in any public place in Alice Springs, Darwin, Katherine, Palmerston, Tennant Creek, the Darwin Waterfront Precinct, any local government area declared to be subject to this prohibition by the local council and any prescribed public place.
- A person believed to be consuming liquor in a public place may be searched and the liquor seized.
- Clause 188 (Permission for prohibited public place) provides that an owner or occupier of a public place listed in section 158 may give permission for the consumption of liquor in or on all or a part of that place, generally to the public or to specific persons or groups, with or without conditions (eg a council could provide approval). This is similar to the permission that currently allow consumption of liquor on the Nightcliff foreshore.
- The 2km law (Regulated place) and Public Restricted Areas will no longer exist and are replaced with the single prohibition for public places.

'General Restricted Area' (GRA) declarations under the *Liquor Act 1978* which generally prohibit liquor in public and private places in the GRA will continue in force under the new Act, with any new declarations made by the Liquor Commission (see Part 8, Division 3 of the Bill). GRAs have previously been declared over a number of communities which will continue under the new Act.

The Minister retains a power to declare a 'Special Restricted Area' (SRA) which prohibits liquor in public and private places in the SRA (see Division 4 of Part 8 of the Bill).

Permits to consume liquor for GRAs and SRAs are available and covered via clauses 188 to 195. Existing permits will continue under the new Act.

The amendments to the *Liquor Act 1978* imposed through the Australian Government's *Stronger Futures in the Northern Territory Act 2012* cannot be amended by the NT Government. This means that the provisions concerning 'Alcohol Protected Areas' which affects a number of communities and town camps throughout the NT remain in place until the legislation ceases in 2022 or the Australian Government determines otherwise. This provides that the areas are dry areas with no liquor similar to GRAs. The relevant clauses under the Bill can be found under Division 1 of Part 8 which draw attention to the existence of the modifying law and that the provisions of the Commonwealth law modifying the *Liquor Act 1978* continue under the new Act.

Restricted premises which prohibit liquor on private premises also continue with provision for new restricted premises found in Part 8, Division 5 of the Bill.

Designated Areas

Clauses 211 to 229 allows for the Minister to declare an area of land to be a 'High Risk Area' in order for banning and exclusion orders for persons to be issued by Police and the Courts (respectively). This in effect is the continuation of the current Designated Areas which will be now known as a 'High Risk Area'.



Significant changes recently made to the *Liquor Act 1978*

The Riley Review recommended a number of key changes be made to the Act, and Government determined that these changes could not wait for the full re-write of the legislation. These changes include:

- The establishment of the independent Northern Territory Liquor Commission
- The introduction of the minimum floor price for liquor products
- The introduction of a community impact and public interest test for liquor licence applications;
- Improved powers in relation to Police Auxiliary Liquor Inspectors and point of sale duties outside takeaway premises;
- The introduction of a 48 hour licence suspension power for Police in specific circumstances; and
- The legislating of a 5 year moratorium on any new takeaway liquor licences.

These initiatives continue in the proposed Bill.

Your feedback

The NT Government is seeking your comments and feedback on the Exposure Draft Liquor Bill 2019.

Submissions on the exposure draft must be received by close of business Friday 26 April 2019 and can be made via:

Post: Alcohol Review Implementation Team,
Department of the Chief Minister, GPO Box 4396,
Darwin, NT 0801

Email: alcohol.review@nt.gov.au

All submissions will be published unless a specific request is made not to at time of lodgement.

THE RISK BASED LICENSING FRAMEWORK



Introduction

Why has Government introduced a Risk Based Licensing (RBL) Framework?

The Risk Based Licensing (RBL) Framework is a key recommendation from the 2017 Alcohol Policies and Legislation Review Final Report (the Riley Review).

RBL is also an important part of alcohol reform and alcohol harm minimisation in the Territory.

Community expectations are that businesses that sell alcohol should pay an annual fee, like every other jurisdiction in Australia.

The RBL Framework is an incentive model: RBL rewards those that supply alcohol responsibly and financially penalises those that break the rules.

RBL is not the only compliance and enforcement lever Government has and should not be considered in isolation – it works alongside fines and temporary closures (for example, powers for Police to suspend liquor licences for up to 48hrs).

In November 2018, Government publicly released the Draft RBL Framework for consultation. The formal consultation period closed on 31 January 2019 and final submissions were received in early February 2019. The Alcohol Review Implementation Team received many submissions from industry and other relevant stakeholders to improve and simplify the RBL Framework.

Where can I find the relevant provisions in the draft Liquor Bill?

The draft exposure bill contains the following provisions for the Risk Based Licensing Framework:

Clause 62 (Fees for licences and authorities):

A licensee must pay the annual prescribed fees in respect of the licence and the authorities held by the licensee.

Clause 39 sets out all the authorities for liquor licences.

The Risk Based Licensing Framework will be set out in the Liquor Regulations.

How can I get an estimate of my fee?

For your benefit, Government has developed an online tool to help estimate what your fee might be. If you visit alcoholreform.nt.gov.au/calculator, you can explore how different factors, such as reduced hours and application of discounts, can greatly reduce your estimated fee.

Can I provide feedback on the RBL Framework?

Yes, you can incorporate any feedback that you have about the RBL Framework as part of the draft exposure Liquor Bill 2019 process. Submissions close on 26 April 2019.



How has the RBL Framework changed from the Draft RBL Framework?

The final RBL Framework has incorporated feedback received during the consultation period, whilst still retaining the basic elements of the Draft RBL Framework. Thanks to the feedback received from stakeholders between October 2018 and February 2019, the Final RBL Framework has been improved to make it clearer for industry.

Tier Model instead of a straight multiplier for Pure Alcohol Content (PAC) purchased

Moving to tiers rather than a straight multiplier provides certainty for business and for Licensing NT, as the regulatory agency to determine what multiplier will be used to calculate the annual fee. Tiers provide clear ranges that can generally be agreed to and allows licensees to get on with their business. The Australian Capital Territory also uses a tiered system.

Calculation of base fee

The base fee for a licence with multiple authorities will be the base fee for the authority attached to the licence with the highest-risk classification.

For example, a club with a bottleshop attached will have two authorities on its licence; 'club' authority (with a 'Moderate' risk classification and a base fee of \$500) and 'takeaway' authority (with a 'Very High' risk classification and a base fee of \$2000). The base fee for this licence will be \$2000.

Risk classification of authorities

The risk classification for the Casino authority has been changed from 'Moderate' to 'High'.

The risk classification for the Special Venture authority has been changed from 'Low' to 'Very Low'.

A new authority for Clubs

The Club authority is now split into two authorities; 'Club' and 'Community Club' in recognition that it would be inappropriate for a Club that has a gaming licence and sells a lot of alcohol to be classified the same (and thus, the same risk classification) as a micro social club that sells or supplies a minimal amount of alcohol to a small number of members.

A point of distinction between 'Club' and 'Community Club' will be whether the Club also has a gaming machine licence. Community Clubs do not have a gaming machine licences.

In addition, Clubs that have a drive-through bottleshop would be considered to also have a 'takeaway' authority, with a 'Very High' risk classification (and therefore the correlating base fee).

Discounts

Each individual type of discount set out below will apply a 5% reduction to the overall annual risk-based licensing fee.

Two additional discounts have been added:

1. the implementation of the 'Good Sports' or similar program
2. the installation and use of ID scanners

The minimum a Licensee will pay is 50% of the base fee for their authority regardless of what discounts and multipliers are applied.

Authorities and Risk Classification

The Risk Based Licensing (RBL) Framework is based on the authorities that attach to a venue's licence. Each authority will have its own conditions (set out in the Liquor Regulations) and a risk classification. The risk classification on each authority forms the base fee in the RBL Framework. The below sets out the base fee for each risk classification:

RISK CLASSIFICATION	BASE FEE
Very High	\$2000
High	\$1000
Moderate	\$500
Low	\$350
Very Low	\$100

AUTHORITY AND LIQUOR BILL CLAUSE (CL)	BRIEF DESCRIPTION	RISK CLASSIFICATION AND BASE FEE
Adult Entertainment cl 39(1)(v)	The <i>'Adult Entertainment Authority'</i> in conjunction with a small or public bar authority, authorises the licensee to have employees who work dressed in sexualised clothing or topless.	Risk: Moderate Base fee: \$500
Adult Entertainment R-rated cl 39(1)(w)	The <i>'Adult Entertainment R-rated Authority'</i> which is an adult entertainment liquor authority that authorises the licensee to also provide strip shows, R-rated entertainment and full nudity on the licensed premises.	Risk: Moderate Base fee: \$500
Adult Entertainment Explicit cl 39(1)(x)	The <i>'Adult Entertainment Explicit Authority'</i> which is an adult entertainment liquor authority that authorises the licensee to also provide general and private strip shows, R-rated entertainment, fully nude staff or entertainers, non-sexual contact between entertainers and patrons and voluntary audience participation in the entertainment on the licensed premises.	Risk: Moderate Base fee: \$500
BYO cl 39(1)(d)	The <i>'BYO Authority'</i> authorises the licensee to serve liquor brought by a patron for consumption with food provided by the licensee on the licensed premises.	Risk: Very Low Base fee: \$100
Casino cl 39(1)(h)	The inclusion of a <i>'Casino Authority'</i> authorises the licensee to sell liquor to patrons in a casino for consumption on the licensed premises.	Risk: High Base fee: \$1000
Catering cl 39(1)(m)	The <i>'Catering Authority'</i> authorises the licensee to sell or supply liquor to patrons for consumption, in conjunction with food being catered by the licensee, on premises where the licensee has the consent of the owner or occupier of the premises.	Risk: Low Base fee: \$350
Club cl 39(1)(k)	The <i>'Club Authority'</i> authorises the licensee to sell liquor to members of a club operated by the licensee, guests of members and visitors to the club, for consumption on the licensed premises and which does authorise the licensee to hold a licence under the Gaming Control Act 1993.	Risk: Moderate Base fee: \$500
(New) Community Club cl 39(1)(l)	The <i>'Community Club Authority'</i> authorises the licensee to sell liquor to members of a club operated by the licensee, guests of members and visitors of the club, for consumption on the licensed premises but which does not authorise the licensee to hold a licence under the Gaming Control Act 1993.	Risk: Very Low Base fee: \$100

AUTHORITY AND LIQUOR BILL CLAUSE (CL)	BRIEF DESCRIPTION	RISK CLASSIFICATION AND BASE FEE
Community Event cl 39(1)(q)	The <i>'Community Event authority'</i> authorises the licensee to sell liquor to patrons at events organised by the licensee on a regular but infrequent basis for consumption on the licensed premises.	Risk: Very Low Base fee: \$100
Interstate Retailer Licence cl 36	As per the <i>Liquor Act</i> , the 'Interstate Retailer Licence' authorises interstate suppliers to sell liquor in the Northern Territory but ensures compliance with the floor price legislation. This is referred to as a 'licence', rather than an authority, as no other authorities are applicable to interstate suppliers.	RBL does not apply to the Interstate Retailer Licence as they have their own fees in their home jurisdiction.
Late Night cl 39(1)(t)(i-ii)	The <i>'Late Night Authority'</i> which in conjunction with a small or public bar authority, authorises the licensee to sell liquor to patrons for consumption on the licensed premises during the one of the following periods: (i) from 12:00 am to 2:00 am; (ii) from 12:00 am to 4:00 am;	Risk: Very High Base fee: \$2000
Live Entertainment cl 39(1)(u)	The <i>'Live Entertainment authority'</i> which in conjunction with a small or public bar authority, authorises the licensee to provide live entertainment to patrons on the licensed premises.	Risk: Very Low Base fee: \$100
Lodging cl 39(1)(f)	The <i>'Lodging Authority'</i> authorises the licensee to sell liquor to guests staying at the licensee's accommodations for consumption on or off the licensed premises, accommodations for consumption on or off the licensed premises.	Risk: Low Base fee: \$350
Major Events cl 39(1)(p)(i-iii)	The <i>'Major Event Authority'</i> which authorises the licensee to sell liquor, for consumption on licensed premises, to patrons attending a single event that is expected: (i) to have at least 1,500 attendees; or (ii) to have a significant effect on public transport or local amenities; or (iii) to require a more than usual amount of emergency services or police supervision.	Risk: High Base fee: \$1000
Producers cl 39(1)(j)	The <i>'Producers Authority'</i> authorises the licensee to sell prescribed amounts of the liquor produced by the licensee to patrons visiting the producer's manufacturing premises for consumption on or off the premises.	Risk: Low Base fee: \$350
Public Bar cl 39(1)(n)	The <i>'Public Bar Authority'</i> authorises the sale, authorises the licensee to sell liquor to patrons for consumption on the licensed premises.	Risk: High Base fee: \$1000

AUTHORITY AND LIQUOR BILL CLAUSE (CL)	BRIEF DESCRIPTION	RISK CLASSIFICATION AND BASE FEE
Restaurant cl 39(1)(b)	The <i>'Restaurant Authority'</i> authorises the licensee to sell liquor to patrons for consumption on the licensed premises with the consumption of food.	Risk: Low Base fee: \$350
Restaurant Bar cl 39(1)(c)	The <i>'Restaurant Bar Authority'</i> authorises the licensee to sell liquor to patrons for consumption, without the consumption of food, in a small area of the premises licensed under a restaurant authority.	Risk: Moderate Base fee: \$500
Small Bar cl 39(1)(a)	The <i>'Small Bar Authority'</i> authorises the licensee to sell liquor for consumption on licensed premises with a maximum capacity of 100 patrons, with or without the consumption of food.	Risk: Moderate Base fee: \$500
Special Event cl 39(1)(s)	The <i>'Special Event Liquor Authority'</i> , which authorises the licensee to sell liquor, for consumption on licensed premises, to patrons attending a single event that is expected to have less than 1,500 attendees.	Risk: Very Low Base fee: \$100
Special Venture cl 39(1)(i)	The <i>'Special Venture Authority'</i> authorises the licensee to sell liquor to patrons as part of a tourism service provided to the patrons by the licensee.	Risk: Very Low Base fee: \$100
Store cl 39(1)(r)	The <i>'Store licence authority'</i> authorises the licensee to sell liquor products to customers for consumption away from the licensed premises, which are part of or attached to the licensee's primary business of selling groceries or other non-liquor products	Risk: Very High Base fee: \$2000
Takeaway cl 39(1)(e)	The <i>'Takeaway Authority'</i> authorises the licensee to sell liquor products to customers for consumption away from the licensed premises.	Risk: Very High Base fee: \$2000
Wayside Inn cl 39(1)(g)	<i>'Wayside Inn Liquor Authority'</i> authorises the licensee to sell liquor to guests staying at the licensee's accommodations and patrons who are not guests for consumption on the licensed premises	Risk: Moderate Base fee: \$500
Wholesale cl 39(1)(o)	The <i>'Wholesale Authority'</i> authorises the licensee with another authority to sell liquor to other licensees.	Risk: Very Low Base fee: \$100

The Risk Based Licensing Formula

The annual risk based licensing fee for a licence is calculated using the following formula:

$$\text{Licence fee} = [(\text{base fee} \times \text{tier volume multiplier} \times \text{hours multiplier}) - \text{discounts}] \times \text{breach loading}$$

The formula allows for the following:

- Instead of a straight volume multiplier, using a tiered approach instead (similar to that used in other jurisdictions)
- Increasing of an annual fee if the venue operates for longer than an authority's average hours, or a reduction in the annual fee if the venue operates for less than average hours for that authority
- Reduction of the annual fee if a venue implements one or more of the discounting measures
- Significant increases in an annual fee if a venue is found to have breached its liquor licence or to have committed an offence against the *Liquor Act* during the relevant period

Base fee

The base fee correlates to the risk classification of the authorities on the liquor licence. In the event a liquor licence has more than one authority, the authority with the highest risk classification is set as the base fee.

Example: A club with an attached bottleshop has a 'club' authority ('Moderate') and a 'takeaway' authority ('Very High'). The base fee will be \$2000, as that is the base fee for the takeaway authority which has a highest risk.

Tier multiplier

The tier multiplier relates to the amount of alcohol (Pure Alcohol Content – PAC) was purchased by the licensee in the previous year, using wholesale data. Licensing NT determines the licensee's PAC by analysing the wholesale data from the previous year.

If required, a common sense approach of rounding up or down to the appropriate tier is favoured in the event the PAC reading is in between tiers. Consideration should be given as to the authorities attached to the licence and their correlating risk classification.

The tiers are classified as follows:

TIER	RANGE	MULTIPLIER
0	Under 500L PAC	0.50
1	Between 501L – 7,500L PAC	0.75
2	Between 7,501L – 25,000L PAC	1.00
3	Between 25,001L – 50,000L PAC	2.00
4	Between 50,001L – 90,000L PAC	3.00
5	Over 90,000L PAC	4.00

In the event of a new licence, the RBL fee for that licence will be set as the base fee (as they will not have any wholesale data until after a year of operation).

Hours multiplier

The Hours multiplier is set against the authority average, not the authority standard. Average hours for each authority can be defined by looking at existing licences averages.

Noting that where there is more than one authority for a licence, an average of similar businesses is used to determine average hours.

Example: The hours multiplier for a venue with a public bar authority and a late night authority will be determined by calculating the average hours of other public bars with late night authorities.

Discounts

It is proposed that each individual type of discount set out below will apply a 5% reduction to the overall annual risk-based licensing fee:

- Live original local music/entertainment (provided in accordance with Music NT's policy)
- CCTV (additional to requirements imposed as a condition of their liquor licence and made available to liquor inspectors and Police)
- Security (additional security by way of crowd controllers, in addition to anything imposed or required as a condition of their liquor licence)
- The installation and use of an ID scanning system at entry point
- Membership to a suitable liquor industry group that has a code of conduct for its members
- Membership to any liquor accords in the licensee's area
- Implementation of the Good Sports program or similar program
- Good compliance record.

A venue that implements all of these discounts could attract up to a 40% discount.

The minimum a Licensee will pay is 50% of the base fee for their authority regardless of what discounts and multipliers are applied.

Breach loading

For the purpose of RBL fee calculation, a breach includes an offence (by the licensee) under the *Liquor Act*, a finding of breach of a licence condition by the Liquor Commission and also an infringement notice under the *Liquor Act* issued against the licensee.

It is proposed that the following loadings be applied for breaches:

BREACH NO	PERCENTAGE LOADING
First breach	10%
Second breach	25%
Third breach	50%
Fourth breach	100%
Fifth breach	200%

For the purposes of RBL, a breach is counted for a two year period from the date of the finding of guilt by a Court or on the date on which a licensee is issued an infringement notice under the *Liquor Act*.

It should be noted that, for RBL fee calculation purposes, breaches are considered to be against the licence and therefore the transfer or sale of licence does not reset the loading for the RBL fee calculation. That is, the previous breaches for a particular licensee in relation to a specific premises will be calculated for the RBL fee for that specific premises regardless if the licence transfers to another licensee.

Illustrative Examples

Example 1 – Store Authorities

Supermarket X

Base fee (authority and risk classification):

Supermarket X has a store authority with a Very High risk classification. They begin with a base fee of **\$2,000**.

Tier multiplier: Licensing NT, through wholesale figure returns, determines that Supermarket X sold 7,000L of PAC in the previous year. This would put the Supermarket X in Tier 1 which is a multiplier of 0.75 $[2000 \times 0.75]$ putting the fee at **\$1,500**.

Hours multiplier: Supermarket X decides to reduce its liquor trading hours to 12noon to 7pm weeknights and 9am to 9pm Saturdays or 47 hours a week. The current store licence average across the NT is 65 hours a week. This gives Supermarket X an hour's multiplier of 0.723. This further reduces the fee $[0.723(1500)]$ to **\$1084.50**.

Discounts: Supermarket X is a member of an Accord, has Peak Body membership, quality CCTV and a good compliance (4 discounts) record attracting a further 20% discount reducing the fee to \$867.60.

Discount Cap: As the total discounts and multipliers take the final amount below the maximum 50% threshold the new and final fee is rounded up to **\$1,000**.

Supermarket Y

Base fee (authority and risk classification):

Supermarket Y has a store license. They also begin with a base fee of **\$2,000**.

Tier multiplier: Licensing NT, through wholesale figure returns, determines that Supermarket Y purchased 53,000L of PAC in the previous year. This would put the Supermarket Y in Tier 4 which is a multiplier of 3 $[2000 \times 3]$ putting the fee at **\$6,000**.

Hours multiplier: Supermarket Y decides to use its maximum liquor trading hours to 10am to 10pm weeknights and 9am to 10pm Saturdays or 73 hours a week. The current store licence average across the NT is 65 hours a week. This gives Supermarket Y an hour's multiplier of 1.123. This further increases the fee $[1.123(6000)]$ to **\$6,738**.

Discounts: Supermarket X does not participate in the local Accord, refuses to join a Peak Body, denies Police access to their CCTV footage and does not have a good compliance – it attracts no discounts.

Breach loading: Furthermore they have breached the Liquor Act twice in past two years and have an additional weighting of 25% on their fee, this puts their final fee at **\$8,422.50**.

Example 2 – Pubs and Restaurants

Nightclub X

Base fee (authority and risk classification): Nightclub X has a Public Bar authority and a Late Night authority. They begin with a base fee of **\$2,000** as a late night authority is classified as a higher risk (Very High) than the Public Bar authority (High).

Tier multiplier: Licensing NT, through wholesale figure returns, determines that Nightclub X sold 18,000L of PAC in the previous year. This would put the Nightclub X in Tier 2 which is a multiplier of 1 (2000×1) keeping the fee at **\$2,000**.

Hours multiplier: Nightclub X trades for 126 hours a week, the industry average is 110. This gives Nightclub X an hour's multiplier of 1.145 $[1.145(2000)]$. This increases the fee to **\$2,290**.

Discounts: Nightclub X is a member of an Accord, has Peak Body membership, quality CCTV, has live local music every weekend and has a good compliance record attracting a 25% discount reducing the fee to **\$1,717.50**.

Discount Cap: As the total discounts and multipliers keep the final amount above the maximum 50% threshold the final fee is **\$1,717.50**.

Restaurant Y

Base fee (authority and risk classification):

Restaurant Y has a Restaurant Bar Authority (Moderate). They begin with a base fee of **\$500**.

Tier multiplier: Licensing NT, through wholesale figure returns, determines that Restaurant Y sold 2,000L of PAC in the previous year. This would put the Restaurant Y in Tier 1 which is a multiplier of 0.75 (500×0.75) putting the fee at **\$375**.

Hours multiplier: Restaurant Y trades for 87 hours a week and the industry average is 101. This gives Restaurant Y an hour's multiplier of 0.861 $[0.861(375)]$. This reduces the fee to **\$322.88**.

Discounts: Pub X is a member of an Accord, has Peak Body membership, quality CCTV, has live local music every weekend and has a good compliance record attracting a 25% discount reducing the fee to **\$242.16**.

Discount cap: As the total discounts and multipliers take the final amount below the maximum 50% threshold the new and final fee is rounded up to **\$250**.

Key dates for fee payment and transition period for the granting of new liquor licences

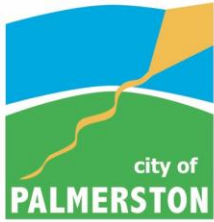
1 October 2020 (and every year thereafter on 1 October)

Licensees receive their notice of anticipated annual fee payable on 2 January. The anticipated fee may be subject to change if the licensee is found guilty of a breach between the date of notice and 31 December

2 January 2021 (and every year thereafter on 2 January)

RBL fee is due from the licensee. Failure to pay the RBL fee on this date results in the immediate suspension of licence until the fee is paid.

DATE	DETAIL
Late 2019 Anticipated commencement of the Liquor Act 2019 and the RBL framework.	<ul style="list-style-type: none"> - Licensing NT sends correspondence to all licensees notifying of the commencement of the RBL Framework, including the introduction of the liquor licence authorities. - The licensee is notified that any breaches imposed by the Liquor Commission or Licensing NT from the commencement of the Liquor Act will count as a loading towards the licensee's annual RBL fee in 2021.
Late 2019 – 1 April 2020 (6 months)	<ul style="list-style-type: none"> - All licensees must submit a proposal of the authorities that apply to their licence under the <i>Liquor Act 1978</i> for Licensing NT's assessment by 1 April 2020. - The Director of Licensing will issue a new licence, and any disputes can be contested with the NT Liquor Commission. - Licensees are encouraged to submit their proposal to be assessed well before the deadline to be granted their new liquor licence in a timely manner. - Note: Additional authorities proposed by the licensee that are outside of the business' scope under their licence granted under the <i>Liquor Act 1978</i> will have to lodge an application with the Liquor Commission.
1 April 2020 Deadline for licensees to submit their proposed authorities for the Director of Licensing's assessment.	<ul style="list-style-type: none"> - If no proposal comes through from the licensee, the Director of Licensing will make a determination of applicable authorities according to their licence granted under the <i>Liquor Act 1978</i>.
1 April 2020 – 1 August 2020 (5 months)	<ul style="list-style-type: none"> - Licensing NT to finalise any outstanding determinations and the Liquor Commission to make a determination about any outstanding disputes.
1 October 2020 (and every year thereafter)	<ul style="list-style-type: none"> - Licensing NT issues a notice of anticipated fee to be payable on or before 2 January 2021 (and every year thereafter), subject to change if the licensee is found guilty of a breach between the date of notice and 31 December 2020 (and every year thereafter).
2 January 2021 (and every year thereafter)	<ul style="list-style-type: none"> - RBL annual licence fee is due.
1 June 2021	<ul style="list-style-type: none"> - Applications for a BYO authority due for consideration.



ID: 381305-LC:ch

29 April 2019

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DARWIN NT 0801

Alcohol.review@nt.gov.au

Dear Representatives

Exposure Draft of the Liquor Bill 2019 – City of Palmerston Submission

In response to the advertising of the Exposure Draft Liquor Bill 2019, City of Palmerston makes the following submissions. Please note that due to consultation timeframes, this submission has not been endorsed by Council. Council reserves the right to make further and/or alternative submissions in future consultation.

The City of Palmerston supports the Exposure Draft Liquor Bill 2019, which provides a coherent framework for the operation of the liquor industry. The review of the *Liquor Act (1978)* is considered timely following the Riley Review, and current social views and issues.

The Bills purpose being “to minimise the harm associated with the consumption of liquor that recognises the public’s interest in the scale, supply, service, promotion and consumption of liquor” is also supported.

City of Palmerston provides the following comments regarding the Bill for consideration. We strongly urge you to consider further amendments to reflect the following.

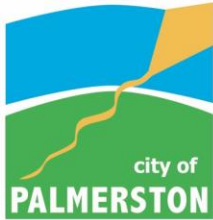
City of Palmerston notes that the government has also recently made changes to the *Liquor Act (1978)*, and that these continue in the proposed Bill, being:

- The establishment of the independent Northern Territory Liquor Commission;
- The introduction of the minimum floor price for liquor products;
- The introduction of a community impact and public interest test for liquor licence applications;
- Improved powers in relation to police auxiliary Liquor Inspectors and point of sale duties outside takeaway premises;
- The introduction of a 48 hour licence suspension power for police in specific circumstances; and
- The legislating of a 5 year moratorium on any new takeaway liquor licences.

Standing at Hearings

Clause 20 of the Bill deals with who has standing to appear at a hearing. The clause identifies groups however it is unclear as to what defines a group.

It is considered that the definition should be broad enough to allow collectives of community members (formal or otherwise), petition organisers, not-for-profits and unincorporated associations. A minimum number could also be used, for example three



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or more community members working in collaboration and sharing the same or similar views.

By providing a broader definition, this will allow all community members and interest groups to participate and to be heard. This will also serve to maximise potential feedback to inform the Commission in their decision making.

It is noted that the Commission determines its own rules and procedures in relation to hearings, it is not bound by rules of evidence and may inform itself in any manner. This flexibility should be used to maximise engagement with and input from the community.

This expansion and clarity regarding standing at hearings would serve to inform and provide certainty to submitters. Also, many community members are time poor and prefer to work as "group" to maximise the value of their submissions.

To improve transparency, accountability and to better inform the community, the City of Palmerston request that the Bill be amended to require that the Community Impact Assessments and public interest documents forming part of any applicant's submission be made publicly available. This will ensure that authorities such as Council's and the community are fully informed regarding the application and can provide informed submissions.

Community Impact Assessment Guidelines

We recommend that clause 42 (2) be amended to include the following:

- Consideration of visitors to an area; tourists and persons visiting from neighbouring communities.

There are groups of people that are not readily captured in the census and other surveys, and include groups such as long grass populations, and persons visiting from neighbouring communities. These groups may have differing socio-economic characteristics and interests, to our resident populations and may result in alternative considerations.

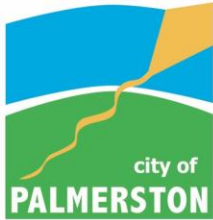
Public Notice of Application

It is considered that the clauses relating to public notifications could be strengthened to ensure clarity, appropriate and consistent process with sufficient timeframes. For example:

- Clause 49(2) (b) first notice is within 28 days of receiving notification subsection (1)
- (c) publish second notice within 42 days of receiving notification subsection (1)

Strict interpretation of these clauses could result in an applicant advertising both the first and second notices within a few days of each other, and both within the 28 day timeframe.

If the intent is to allow the public sufficient exposure to the intent of the applicant, then perhaps the clause should read as follows:



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Clause 49(2) (c) “public a second notice of the application between 29 days and 42 days of receiving the notice under subsection (1) but not less than 7 days after publication of the first notice.”

It is further recommended that all notices (Clause 49) be undertaken by the authority not the applicant. We refer you to the process used by the government for planning applications.

This will ensure separation of the applicant to the community consultation process used to inform the Commission, further strengthening community trust and confidence in the process.

Furthermore, it will ensure a consistent approach and timely notifications of authorities identified under the clauses.

Objecting to an application

In the past there has been discrepancy with who can object, based on where they live/work, i.e. the definition of “neighbourhood”.

For convenience and clarity, it is recommended that the definition of “neighbourhood” be aligned to the catchment or service area proposed by the applicant.

It is not considered reasonable or in alignment with the Bill’s purpose to believe that any impact to amenity, health, public safety or social conditions to a neighbourhood is limited to the immediate vicinity of the outlet, while also claiming that it services a broader area but having no impact on that broader area.

Although the Commission has the discretionary authority to accept these types of submissions, or reject them, the legislation should be firm enough to give the public certainty as to their rights in making submissions.

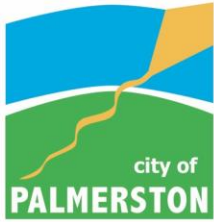
Clarity is required regarding Clause 55 of the Bill. It appears that the Bill allows the applicant the right to respond to objections which may include additional information or to amend application, however the same rights are not provided for objectors.

Consideration should be given providing the opportunity for objectors to respond in the same way an application can, once they have adjusted their original application in line with objections received. Whilst the applicant has a right to response, and will no doubt introduce new material of their own in support of their application, objectors are placed in a position of disadvantage if they are unable to rebut the applicant’s response to the original objection.

There will be occasions when significant information comes to light, that should be reviewed by the Commission.

Register of Licensees

To further improve transparency, it is recommended that the register be publicly available with the licence and authority details, and easily searchable. The conversion to spatial will further serve to inform the community and interested parties. It has been shown that spatially presented data is more easily understood and, in this case, provides users at a glance distribution, location and quantum of licensees in an area.



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Restricted Premises

Consideration should be given to amending Clause 180 of the Bill to include consultation with relevant local government and residents within the street. It is possible that by declaring a restricted premise it may impact on public spaces and other residents within the area. Alternatively, these parties may have interest in supporting a premise becoming restricted.

It is recommended that Clause 181 of the Bill should be amended to include that notification of the decision on a restricted premise, also include the relevant local government and residents within the street.

General Comment

It is noted that within the Bill there appears to be some inconsistency with wording and/or intent, namely relating to timeframes.

There are clauses that specify a number of days and others that refer to "as soon as reasonably practicable".

This may not provide certainty or clarity. It is acknowledged that it may be appropriate in some areas. This matter is raised for your consideration.

Again, I remind you that due to the tight consultation timeframes, this letter expresses the views of City of Palmerston staff and not that of Council.

The letter will now be presented to Council at its Second Ordinary Meeting in May 2019 for noting.

Council will examine the Bill further including any subsequent regulations and the Council if required, will make comment during the Scrutiny Committee process or any further engagement processes.

Should you have any questions or concerns please contact me on (08) 8935 9902 or via email on Luccio.cercarelli@palmerston.nt.gov.au.

Regards

Luccio Cercarelli
Chief Executive Officer

PASSAGE OF BILLS

NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

Minister introduces Bill into Legislative Assembly with a human rights compatibility statement and explanatory memorandum.

Minister moves first reading and gives a speech explaining the Bill.

If first reading
passed

Minister moves to refer the Bill to a Scrutiny Committee, or to Second Reading Debate after 30 days has elapsed, or to declare it to be urgent.

If referred

The Committee calls for public submissions on the Bill and, if needed, holds public hearings the next Assembly sittings. This allows anyone to put their views about the Bill on the Assembly's record and Members to consider those views.

Committee
Reports

The Committee recommends to the Assembly at its next sitting whether to pass the Bill and whether to make any amendments. If the Minister agrees with any of those amendments, they can ask them to be adopted before the Assembly debates the Bill.

If 30
days
Elapses
or if
Urgent

The Assembly debates the second reading, consideration in detail, and third reading of the Bill and the Bill is passed by the Assembly to become a proposed law.

Assent by Administrator and the proposed law becomes an Act.

From: NTGNewsroom@nt.gov.au <NTGNewsroom@nt.gov.au>
Sent: Monday, 13 May 2019 10:51 AM
To: Luccio Cercarelli <Luccio.Cercarelli@palmerston.nt.gov.au>
Subject: Parliament Week Two: Liquor Reform Introduced

Natasha Fyles

Leader of Government Business



Media Release

Parliament Week Two: Liquor Reform Introduced

13 May 2019

Parliament continues in the Northern Territory this week, with the introduction of the Liquor Bill 2019.

The Bill is a complete rewrite of the Liquor Act 1978, and achieves 70 recommendations of the 2017 Alcohol Policies and Legislation Review Final Report (the Riley Review).

The Bill provides a robust regulatory framework through its primary purpose of harm minimisation.

The Bill modernises the way the Territory deals with alcohol and is designed to meet community expectations and industry needs, give regulatory bodies certainty and creates long-term benefits for Territorians.

Extensive consultation has been held with industry and stakeholders, including on the exposure draft bill, across the Territory in April, with over 20 formal submissions received.

The public will have a further opportunity to comment on the Bill as it goes through the Scrutiny Committee process.

Other Bills for introduction during sittings this week are:

- The Hemp Industry Bill 2019
- The Environment Protection Bill 2019
- The Construction Contracts (Security of Payments) Legislation Amendment Bill 2019
- The Education and Care Services (National Uniform Legislation) Amendment Bill 2019

Parliament is set to debate the Water Amendment Bill 2019. The Bill includes reforms needed to implement recommendations from the Pepper Inquiry, which will go towards allowing a well-regulated hydraulic fracturing industry to develop.

Parliament will also debate the Motor Vehicles (Compensation) Amendment Bill 2019. The purpose of this Bill is to ensure anybody who is working and injured in a motor vehicle accident (regardless of their age) is eligible to receive LOEC (loss of earning capacity) benefits, subject to a two-year time limit for those who have reached or exceed pension age.

The Medical Services Amendment Bill 2018 is also set for debate.

Quotes from Leader of Government Business, Natasha Fyles:

“The purpose of the Liquor Act re-write in the Northern Territory is to achieve real change by creating an Act that meets community expectations, gives NT regulatory bodies substantive, flexible and sensible powers, provides businesses and community groups with regulatory certainty and achieves long term benefits for the Northern Territory.”

“The Liquor Act must provide a coherent framework for the operation of the liquor industry within harm minimisation principles.”

Media Contact: Rob Cross 0439 778 095

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13 OFFICER REPORTS

13.2 Action Reports

13.2.1	Strategic Risk Register	9/0223
13.2.2	Review of FIN17 Rate Concession Policy	9/0228
13.2.3	Adoption of the Draft Council Policy <i>AD03 Alcohol Management</i>	9/0233
13.2.4	Graffiti Buster Trailer	9/0234
13.2.5	Third Quarter Budget Review 2018/2019	9/0232

AGENDA ITEM:	13.2.1
REPORT TITLE:	Strategic Risk Register
REPORT NUMBER:	9/0223
MEETING DATE:	21/05/2019
AUTHOR:	Director Governance and Regulatory Services, Chris Kelly
APPROVER:	Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

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

PURPOSE

This report seeks Council approval of strategic risks outlined in the Strategic Risk Register.

KEY MESSAGES

- Council has developed a Strategic Risk Register.
- The Strategic Risk Register identifies the key strategic risks to Council, allowing mitigation controls to be identified and implemented.
- Council identified eight strategic risks to the organisation. Without any mitigation tools in place the risks were five as critical, one as high and two as medium.
- With the mitigation tools currently in place, the risk levels are currently considered as five as medium and three as low. The targeted risk for each risk is low.
- The Strategic Risk Register has been considered by the Risk Management and Audit Committee and is presented for Council's consideration.
- Council approval is being sought for the eight strategic risks in the Strategic Risk Register.
- it is intended that the Strategic Risk Register will remain a working operational document.
- Council staff will refine gross, net and target risk on an ongoing basis as mitigation controls are identified and implemented.
- Council will be provided with an annual report on the operation of the Strategic Risk Register through the Risk Management and Audit Committee, including any recommended changes to the Strategic Risks.

RECOMMENDATION

1. THAT Report Number 9/0223 entitled Strategic Risk Register be received and noted.
2. THAT Council endorse the eight strategic risks listed in the Strategic Risk Register at **Attachment A** to Report Number 9/0223 entitled Strategic Risk Register.
3. THAT an annual report on the operation of the Strategic Risk Register, including any recommended changes to the Strategic Risks be provided to Council by 30th June each year.

BACKGROUND

Council has been proactively identifying improvements to its governance and risk management framework. Whilst it is not a legislative requirement to have an internal audit function, it is considered good governance. Council appointed KPMG in 2018 to act as Council's internal auditors and one of the first steps to establishing a permanent framework was defining Council's strategic risks and preparing a Strategic Risk Register.

The Executive Leadership Team (ELT) in conjunction with KPMG, Council's internal auditor, have been in the process of developing Council's Strategic Risk Register over the course of several months. The Strategic Risk Register is an important document for Council as it identifies the key strategic risks to Council, allowing mitigation controls to be identified and implemented. It will also direct the future of internal audit plans to ensure that Council's controls are adequate and to identify any potential improvement opportunities for mitigate those risks.

The Draft Strategic Risk Register was presented to Council's Risk Management and Audit Committee at its meeting of the 26th February 2019. The Committee subsequently recommended to Council that Council endorse the approach and receive a briefing from KPMG prior to adoption. Council accepted these recommendations as reflected in the decisions below.

At the 2nd Ordinary Council Meeting of 19 March 2019 Council made the following decisions:

13.2.7 Risk Management and Audit Committee Meeting Minutes – 26 February 2019 9/0196

1. THAT Report Number 9/0187 entitled Risk Management and Audit Committee Meeting Minutes – 26 February 2019 be received and noted.
2. THAT Council receive and note the Risk Management and Audit Committee Minutes being **Attachment A** to Report Number 9/0187 entitled Risk Management and Audit Committee Meeting Minutes – 26 February 2019.
3. THAT Council endorse the recommendations from the Risk Management and Audit Committee Meeting held on 26 February 2019:
 - a. The following items be removed from the Action Report:
 - RMA/0097 – Outstanding Management Responses
 - RMA/0104 – Risk Descriptions and Treatments
 - RMA/0132 – Ageing Report for Infringements
 - RMA9/0010 – Community Satisfaction Report; and
 - the Committee be provided with a procedure on the management of outstanding infringements at the next Risk Management and Audit Committee meeting.
 - b. The following items from Report Number 9RMA/008:
 - THAT Council endorses the strategic risk management approach included in the Strategic Risk Register at **Attachment A** to Report Number 9RMA/008 entitled Strategic Risk Register by the end of April 2019.
 - THAT KPMG be invited to present to Council about the Strategic Risk Register at **Attachment A** to Report Number 9RMA/008 entitled Strategic Risk Register by the end of April 2019.

- c. The following item from Report Number 9RMA/009:
- THAT Council note the Management Responses to Appendix D – Audit Observations on **Attachment A** to Report Number 9RMA/009 entitled External Audit Closing Report 30 June 2018.

CARRIED 9/0537 – 19/03/2019

This report provides the Strategic Risk Register and briefing for Council's consideration.

DISCUSSION

ELT in conjunction with KPMG have developed Council's Strategic Risk Register which is provided at **Attachment A**. This process has identified eight strategic risks that the organisation faces.

The eight risks identified are:

- Fails to effectively regain the trust from all stakeholders
- Is not sustainable into the long term
- Fails to attract, value, retain and develop the right people with the desired culture
- Fails to effectively design and implement contemporary governance practices
- Fails to make informed and timely decisions
- Fails to create and deliver the strategic Vision for the City
- Fails to be agile to respond to growth opportunities
- Fails to develop effective relationships and manage expectations of relevant parties

Each of the risks that were identified were mapped against the strategies that Council is undertaking and are consistent with the recently adopted Community Plan. The risks were then plotted against the risk rating framework to identify the potential consequences that could occur if Council failed to properly address these risks.

Gross Risk highlights the level of risk to Council without any mitigation processes or controls. The gross risks to Council include five that were considered critical risks, one high risk and two medium risks.

Net Risk is where risk has decreased in relation to the risk matrix due to the current mitigation tools in place. This demonstrates that the two medium risks and the high risk were mitigated to low risk, and the remaining five critical risks are currently mitigated to medium risks.

The analysis concludes with the target risk level for each of the eight strategic risks. This is the level of risk that is considered tolerable for the organisation noting that it is impossible to eliminate all risk. The level of risk considered tolerable for the eight strategic risks is low. The diagram below represents the progression through this analysis.



The remaining pages of the Strategic Risks Register provide further information on each individual risk identified. It includes the gross, net and target risk as well as identifying the key mitigation controls that are currently in place to manage the risk. There are also risk mitigation improvement opportunities identified that the organisation can implement to further mitigate the level of risk. Finally, the risk lead is identified for each of the strategic risks. The risk lead will be responsible for ensuring that continual improvement is occurring in relation to risk management as well as implementing the risk mitigation opportunities identified.

Council is being asked to endorse the strategic risks identified in the Strategic Risk Register, however it is intended that the Strategic Risk Register will remain a working operational document. ELT will refine gross, net and target risk on an ongoing basis as operational mitigation controls are identified and implemented. Should there be recommended changes to the strategic risks, Council approval will be sought, following review and recommendation by the Risk Management and Audit Committee.

An internal audit plan that relates back to the Strategic Risk Register will also be finalised and rolled out over the coming months.

CONSULTATION PROCESS

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

- Executive Leadership Team
- Assistant Finance Manager

In preparing this report, the following external parties were consulted:

- KPMG

KPMG have been asked to attend the Council Meeting to provide a briefing and/or answer any questions Elected Members may have.

POLICY IMPLICATIONS

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

The development of the Strategic Risk Register is within the approved budget.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

The development of the Strategic Risk Register is an important and positive result for Council. It will help guide officers in developing mitigation tools and controls to reduce the strategic risks to a tolerable level. This register will also help determine what the priorities are for risk and will inform future internal audit programs.

Whilst there is no legislative requirement for Council to have a Strategic Risk Register, it is considered good governance to clearly identify the risks to the organisation and controls and processes that help mitigate those risks.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

ATTACHMENTS

Attachment A: Draft City of Palmerston Strategic Risk Register



City of Palmerston

Strategic Risk

Maturing the frameworks at City of Palmerston

January 2019

In Development
Draft for Discussion



City of Palmerston: Strategic Risk Management

Strategy:

Sets the intended direction of the organisation

Values:

Sets the core principles the organisation will abide by

Strategic Risks:

Uncertainties and opportunities that can stop you adopting or executing the strategy

Strategic Risk Management:

Your organisations response to the uncertainties and opportunities

The strategies of the City are:

Promote City of Palmerston within the community with genuine opportunities for stakeholders to contribute to and inform projects, strategies, services and decisions that affect them.

Optimise the financial, social and environmental sustainability of Council through effective operational and financial management and innovation

Utilise approaches to leadership, governance and decision-making that require greater public participation and transparency

Value and engage staff to create the desired corporate culture which values customer service and fosters continuous improvement

Build the capacity and capability of council and staff through collaboration at all levels of government to identify opportunities and act upon these

The values of the City are:

Communication
Timely, relevant and effective – open communication encouraged and transparency in information and 'calling out' poor behaviour

Accountability & Transparency
People being transparent with, and accountable for, their work

Trust & Respect
Mutual trust and respect for fellow members of staff and community

Collaboration
Collaborating across teams and functions to ensure timely and efficient outcomes



City of Palmerston: Strategic Risks & their linkage to the Strategic Plan

ATTACHMENT A

The risk that the City of Palmerston...		The strategies of the City...	Promote	Optimise	Utilise	Value and Engage Staff	Building Capacity and Capability
1	Fails to effectively regain the trust from all stakeholders Context: Council needs to be credible and trusted by those within and external to the Council.		●				
2	Is not sustainable into the long term Context: Optimising the financial, social and environmental sustainability of the Council.			●			
3	Fails to attract, value, retain and develop the right people with the desired culture Context: Right people at right time and place with right skills, operating consistently in accordance with the desired culture of Collaboration, Accountability, Respect and Valued					●	●
4	Fails to effectively design and implement contemporary governance practices Context: Strong foundations to hold the Council and Administration to account with clear and transparent performance reporting.		●	●			●
5	Fails to make informed and timely decisions Context: Ensuring the Council and Administration with decision making delegation have access to the right information, at the right time as context to making its decisions on a timely basis.				●		
6	Fails to create and deliver the strategic vision for the City Context: Ensuring a vision is enduring and clear to all relevant stakeholders, guiding future decision making, delivered effectively and efficiently, and that progress is measurable and celebrated.		●				●
7	Fails to be agile to respond to growth opportunities Context: Ensuring the organisation is positioned to respond quickly to take up opportunities for growth both internally and externally.			●		●	●
8	Fails to develop effective relationships and manage expectations of relevant parties Context: Engagement and communication with stakeholders (internal and external to the Council).		●		●		

City of Palmerston: Strategic Risk Rating Framework

ATTACHMENT A

The consequence of risk is measured as follows...

Consequence Factors	Consequence Category				
	Immaterial	Minor	Moderate	Major	Catastrophic
	<p>Failure to achieve minor elements of Strategic Vision due to impacts outside of Council control.</p>	<p>Failure to achieve multiple minor elements of Strategic Vision with no justification</p> <p>7</p>	<p>Failure to achieve a major element of Strategic Vision with no justification</p> <p>6 8</p>	<p>Failure to achieve multiple major elements of Strategic Vision with no justification.</p> <p>5</p>	<p>Failure to achieve any progress towards the Strategic Vision of the day with no justification. Intervention by Minister.</p>
	<p>Minor regulatory breach. Direct loss of up to \$100,000.</p>	<p>Multiple minor or moderate regulatory breach. Direct loss of \$100k to \$1 million.</p>	<p>Multiple moderate or major regulatory breach. Direct loss of \$1-10 million.</p> <p>2</p>	<p>Multiple major regulatory breach. Direct loss of \$10-25 million. Council found indirectly responsible in Coroner's Report.</p> <p>5</p>	<p>Large Scale class action. Direct loss >\$25 million. Council found directly responsible in Coroner's Report.</p>
	<p>Individual complaints. Temporary adverse NT media / social media.</p>	<p>Isolated damaging, negative and temporary NT media/social media coverage that is manageable with some management effort.</p> <p>6 7</p>	<p>Moderately damaging, negative and prolonged NT or nationwide media/social media coverage that is sustainable with significant management effort.</p> <p>2 5 8</p>	<p>Materially damaging & prolonged NT or nationwide media/social media coverage leading to intervention by Minister (Statutory Mgt).</p> <p>4</p>	<p>Intervention of Minister leading to loss of licence to operate as a Local Government organisation.</p>
	<p>Isolated people, safety and culture matters manageable with additional ELT effort with no lost time injury (LTI)</p>	<p>Minor gaps in achieving desired culture and temporary staff morale issues. High staff turnover or loss of some key employees. Isolated incidents with LTI < 30 days</p> <p>8</p>	<p>Material gaps in achieving desired culture (but not pervasive) & prolonged staff morale issues. Multiple key employee departures. Multiple incidents with LTI 30 < 90 days</p> <p>1</p>	<p>Material gaps in achieving desired culture that is pervasive across the Council. Multiple incidents with LTI > 90 days</p> <p>3</p>	<p>Death to one or more persons.</p>
	<p>NTG Policy change with financial impact up to \$100k.</p>	<p>NTG Policy change with financial impact \$100k to \$1 million.</p>	<p>NTG Policy change with financial impact \$1million to \$10million. Externally funded programs discontinued. Council in private conflict with Territory/Federal agencies or departments.</p> <p>1 8</p>	<p>NTG decision with financial impact between \$10million to \$25 million. Externally funded programs cease early. Council drawn into high profile Territory/Federal issues. Council Dismissed.</p>	<p>NTG decision with financial impact >\$25 million. Intervention by Minister. Council causes high profile Territory/Federal issues.</p>
	<p>Loss of Council infrastructure or failure of some IT systems with minimal operational impacts which can be readily rectified < 1 day. No data loss.</p>	<p>Loss of Council infrastructure or failure of key IT systems with operational impacts which can be rectified 1 < 5 days. No data loss.</p>	<p>Loss of critical Council infrastructure or failure of multiple key IT systems with operational impacts which can be rectified 5 < 15 days. Some non-key data loss.</p>	<p>Loss of multiple critical Council infrastructure at same time < 60 days or failure of multiple key IT systems with operational impacts which can be rectified > 15 days. Loss of key data.</p>	<p>Loss of multiple critical Council infrastructure at same time for > 60 days or failure of all key IT systems with loss of all historical data.</p>

The likelihood of risk is measured as follows...

Likelihood rating	Indicative frequency (expected to occur)
Almost certain	Almost certain to occur in most circumstances. Less than a year or more frequently
Likely	Likely to occur frequently. Once a year
Possible	Possible and likely to occur at some time. Once every 3 years
Unlikely	Unlikely to occur but could happen. Once every 10 years
Rare	May occur but only in rare and exceptional circumstances. Once every 20 years

The risk rating is determined by combining likelihood and consequence as follows...

RISK MATRIX		Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain		Medium	High	Critical	Critical	Critical
Likely		Low	Medium	High	Critical	Critical
Possible		Low	Low	Medium	High	Critical
Unlikely		Low	Low	Low	Medium	High
Rare		Low	Low	Low	Low	Medium

The control effectiveness rating helps to determine the net risk rating and is determined as follows...

Control effectiveness rating

Control is understood to mean Anything which comprises those elements of an organisation (including its resources, systems, processes, culture, structure and tasks) that, taken together, support people in the achievement of the organisation's objectives. The following three levels are used to rate control effectiveness:

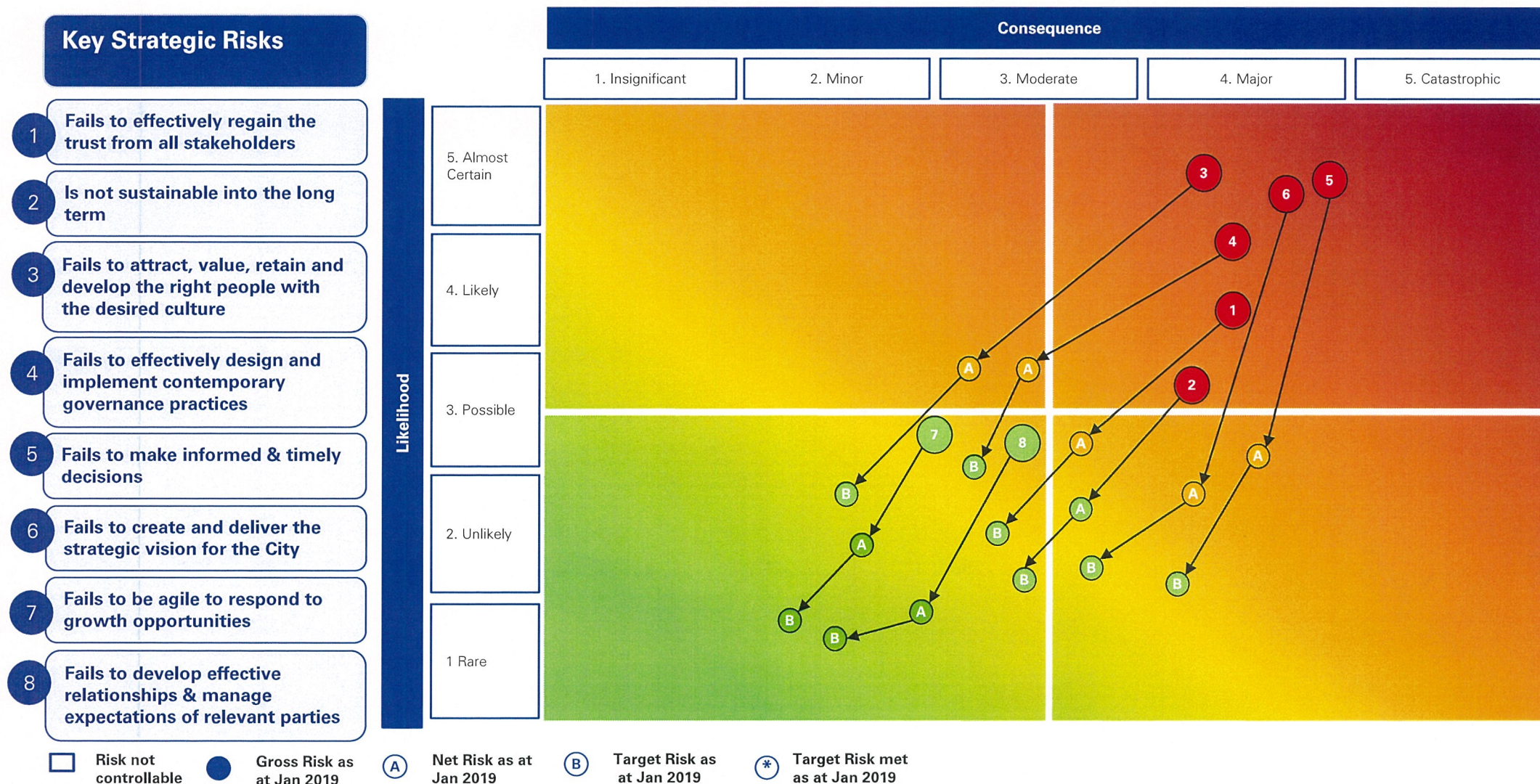
Satisfactory	Controls are strong and operating properly, providing a reasonable level of assurance that objectives are being achieved.
Some weaknesses	Some control weaknesses / inefficiencies have been identified. Although these are not considered to present a serious risk exposure, improvements are required to provide a reasonable assurance that objectives will be achieved.
Weak	Controls do not meet an acceptable standard, as many weaknesses/inefficiencies exist. Controls do not provide reasonable assurance that objectives will be achieved.

Controllability

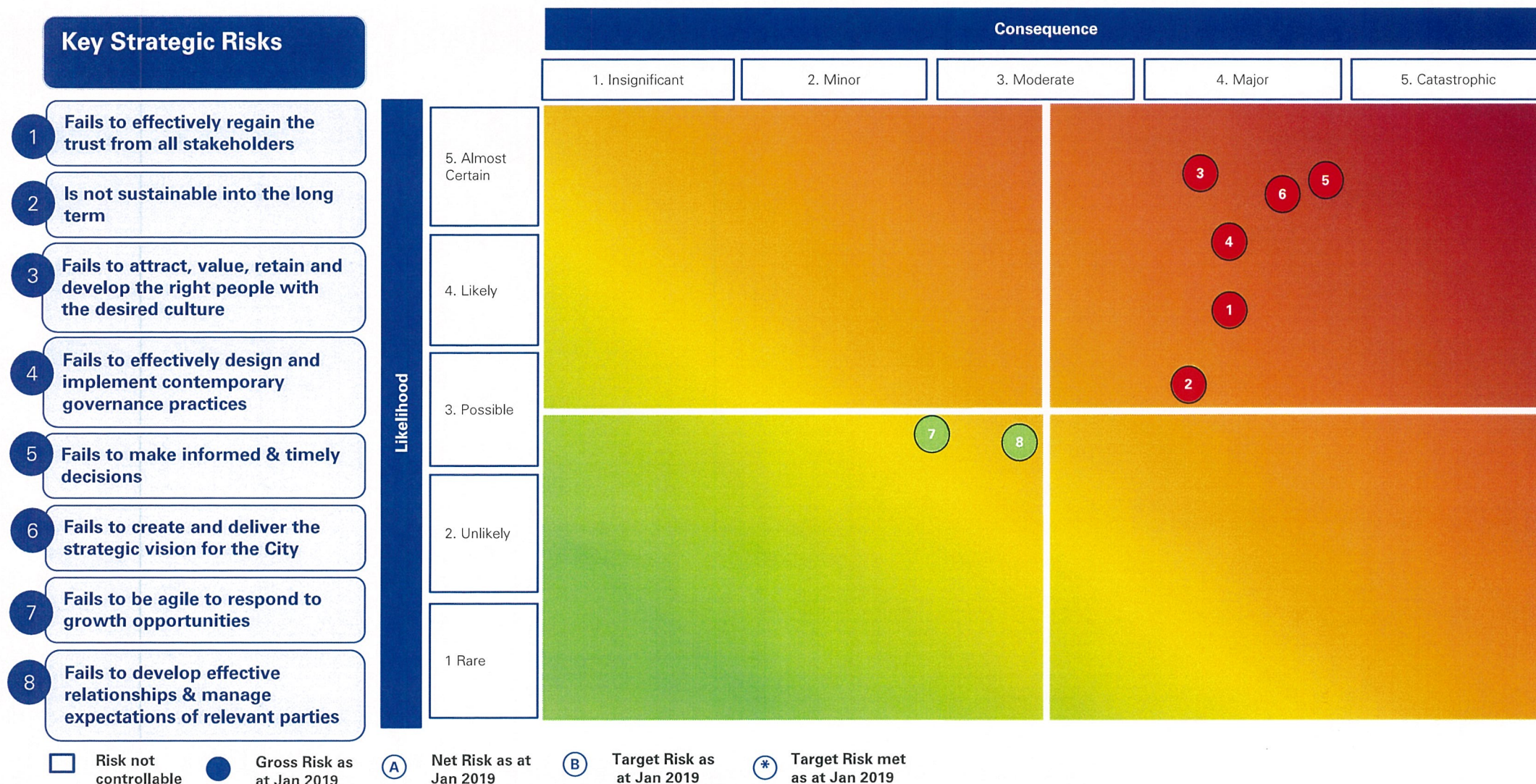
The following three levels are used to rate the capacity of the City of Palmerston to influence the risk:

Controllable	Organisation has the capacity to influence the risk rating.
Mainly controllable	Organisation has significant capacity to influence the risk rating.
Partially controllable	Organisation has some capacity to influence the risk rating.
Not controllable	Organisation has <u>limited or no</u> capacity to influence the risk rating.

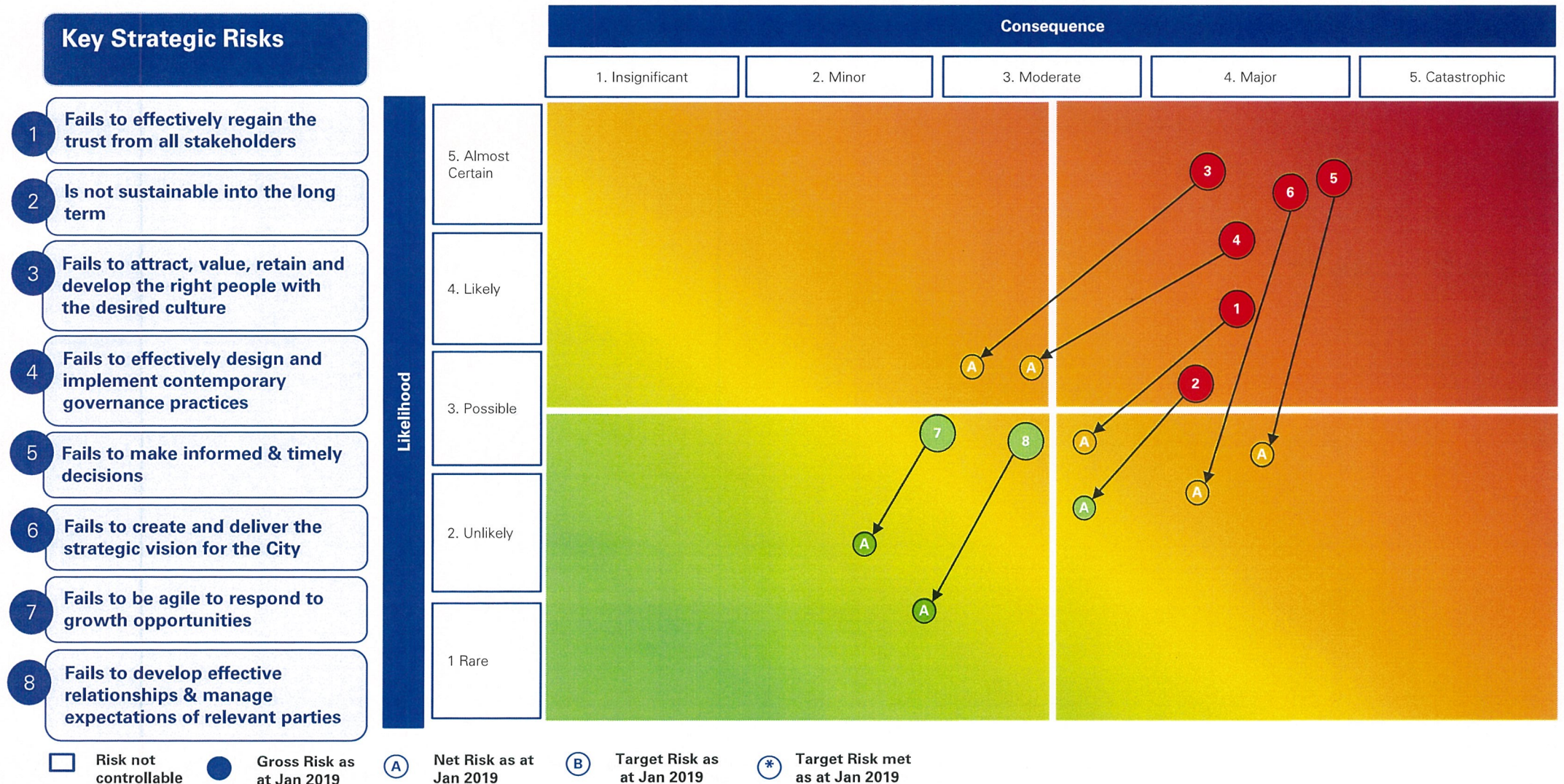
Gross Risk vs Net Risk vs Target Risk

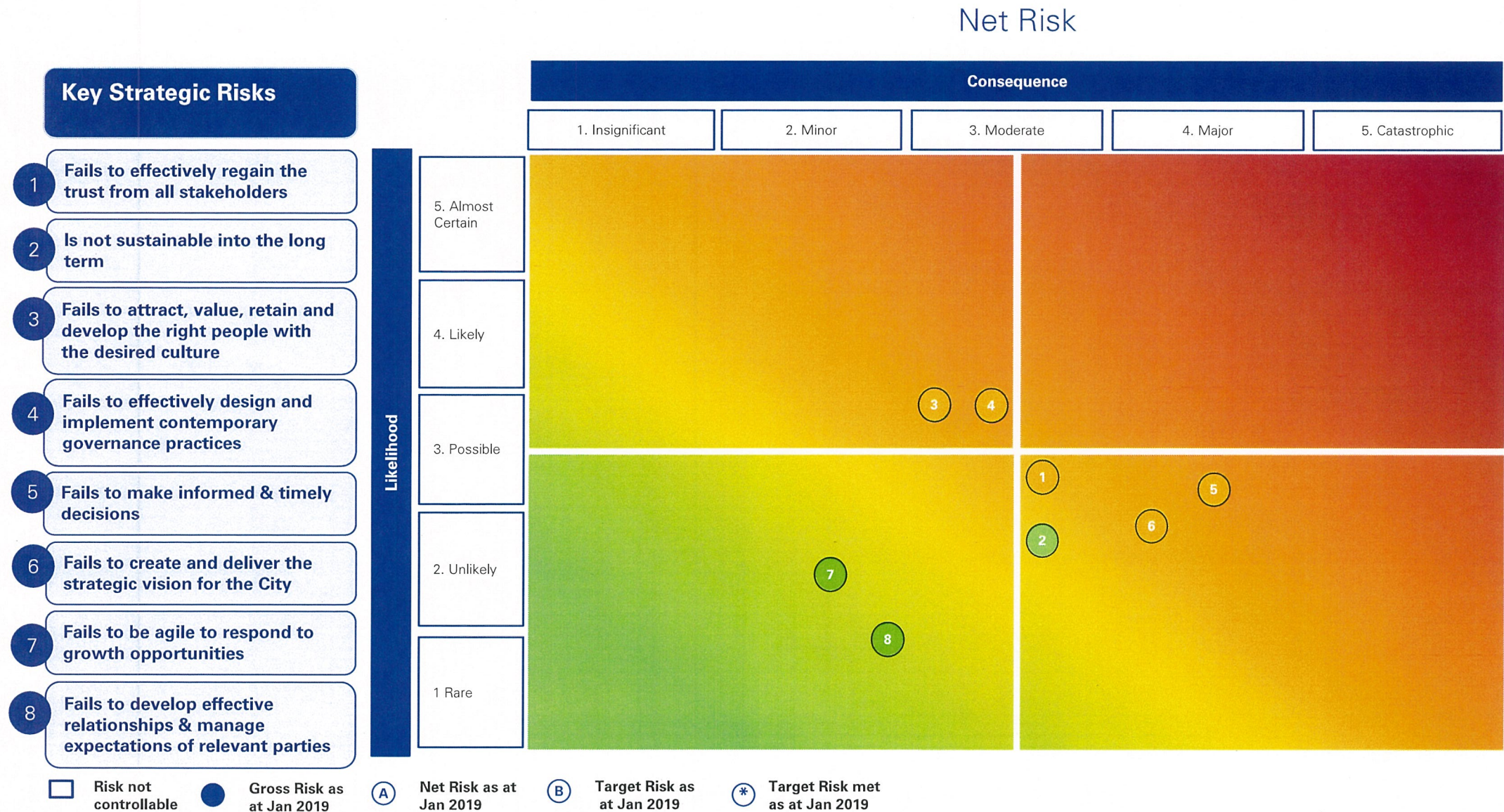


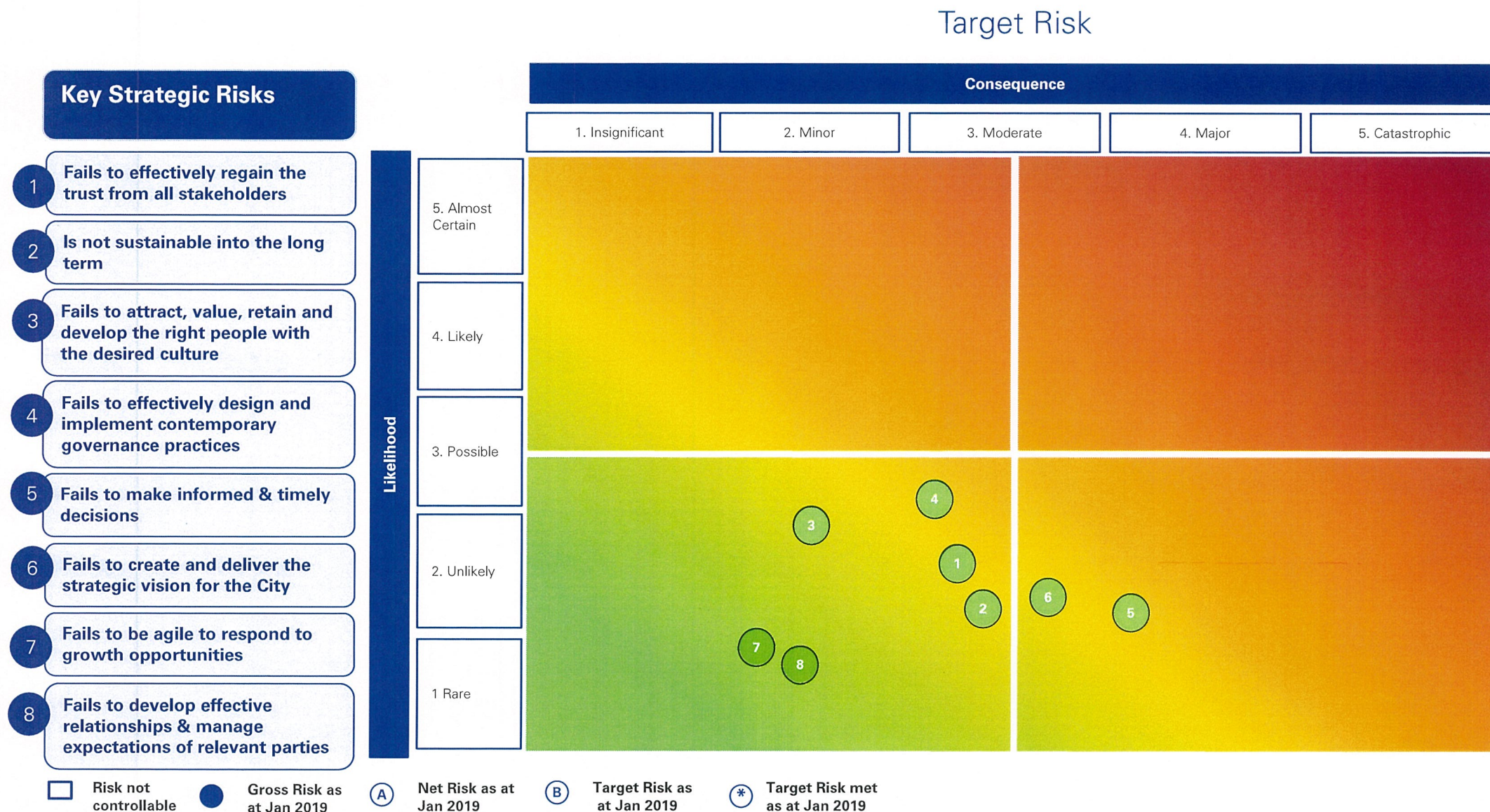
Gross Risk



Gross Risk vs Net Risk







Detailed Risk Analysis: Regaining Trust

The risk that the City of Palmerston...

Fails to effectively regain the trust from all stakeholders

Context: Council need to be credible and trusted by those within and external to the Council..

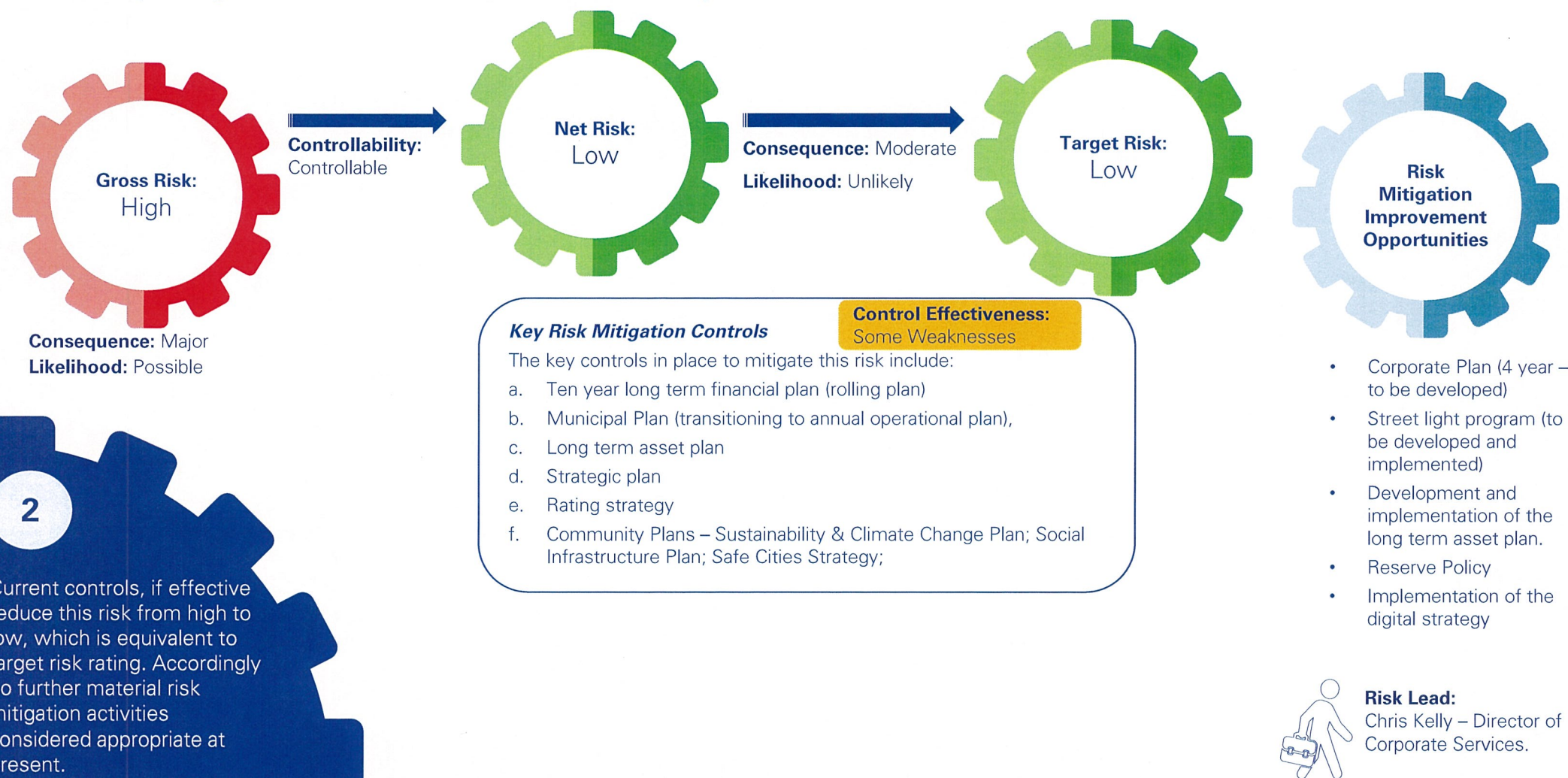


Detailed Risk Analysis: Sustainability

The risk that the City of Palmerston...

Is not sustainable into the long term.

Context: Optimising the financial, social and environmental sustainability of the Council.

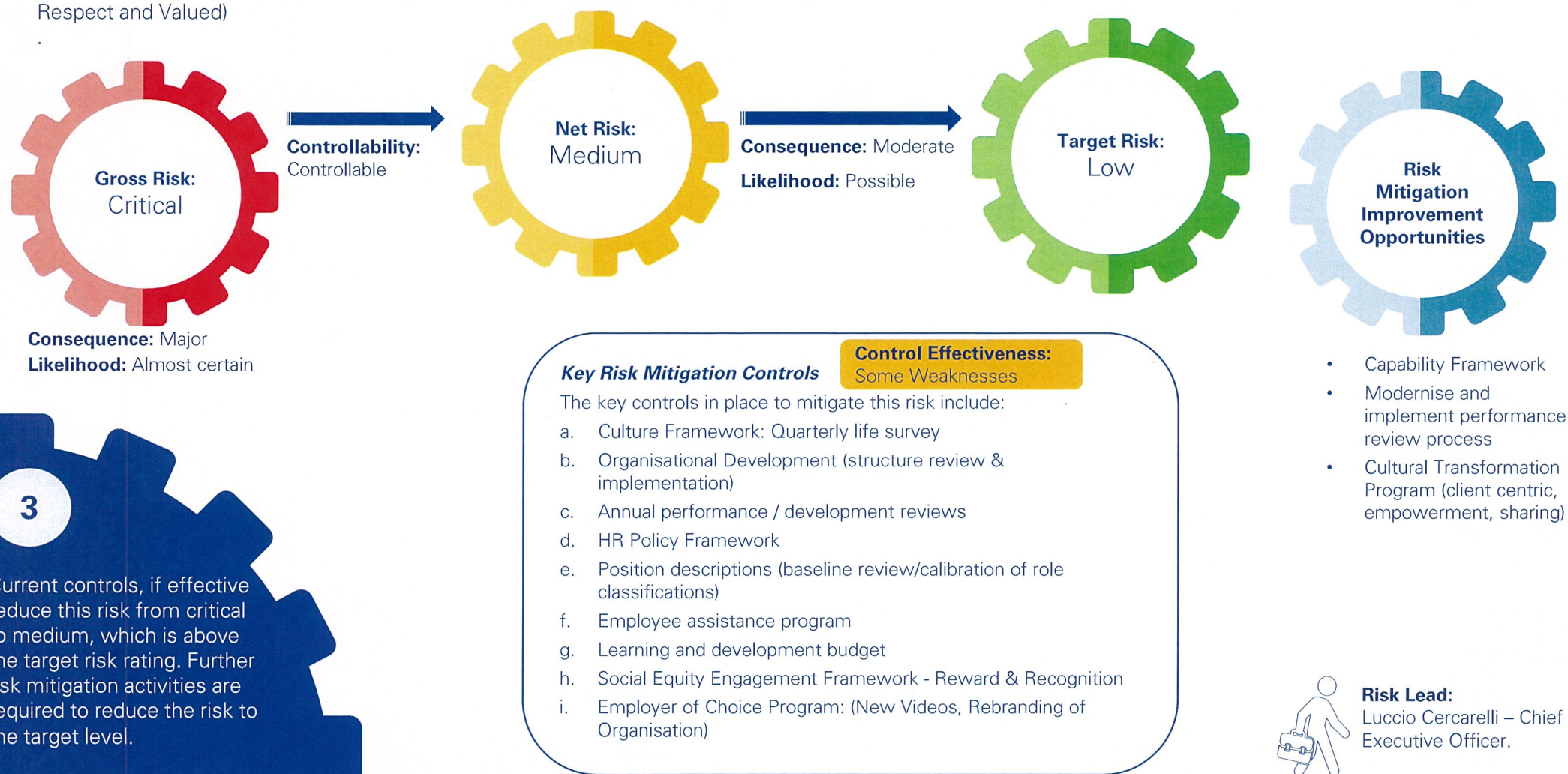


Detailed Risk Analysis: People

The risk that the City of Palmerston...

Fails to attract, value, retain and develop the right people with the desired culture

Context: Right people at right time and place with right skills, operating consistently in accordance with the desired culture of Collaboration, Accountability, Respect and Valued)



Detailed Risk Analysis: Governance

The risk that the City of Palmerston...

Fails to effectively design and implement contemporary governance practices.

Context: : Strong foundations to hold the Council and Administration to account with clear and transparent performance reporting.



Detailed Risk Analysis: Decision Making

The risk that the City of Palmerston...

Fails to make informed and timely decisions.

Context: Ensuring the Council and Administration with decision making delegation have access to the right information, at the right time as context to making its decisions on a timely basis.



Consequence: Catastrophic
Likelihood: Almost Certain

- Review of information management.

Key Risk Mitigation Controls

Control Effectiveness:
Some Weaknesses

The key controls in place to mitigate this risk include:

- Reporting protocols.
- Decision papers – clearly articulate options and other impacts such as risk, people, systems, financial
- Delegations framework
- Policy Framework
- Casting Vote Policy
- Legislative requirements – compliance (reporting)
- On-boarding of new Council members and ongoing professional development

5

Current controls, if effective reduce this risk from critical to medium, which is above the target risk rating. Further risk mitigation activities are required to reduce the risk to the target level.



Risk Lead:
Luccio Cercarelli – Chief Executive Officer.

Detailed Risk Analysis: Strategic Vision

The risk that the City of Palmerston...

Fails to create and deliver the strategic vision for the City .

Context: Ensuring a vision is enduring and clear to all relevant stakeholders, guiding future decision making, delivered effectively and efficiently, and that progress is measurable and celebrated.



Key Risk Mitigation Controls

The key controls in place to mitigate this risk include:

- Clarity over the Council's focus areas: Strategic Plan (in development), Municipal Plan (transitioning to annual operational plan), Ten Year Long Term Financial Plan
- Clarity over the Council's focus areas: Strategic Plan (in development), Municipal Plan (transitioning to annual operational plan), Ten Year Long Term Financial Plan
- Community Advisory Committees/Networks
- Annual Report.
- Quarterly reporting from each directorate
- Operational Structure and Capability (Organisation Knowledge – Create and Deliver)
- Municipal Plan (operational delivery)

6

Current controls, if effective reduce this risk from critical to medium, which is above the target risk rating. Further risk mitigation activities are required to reduce the risk to the target level.



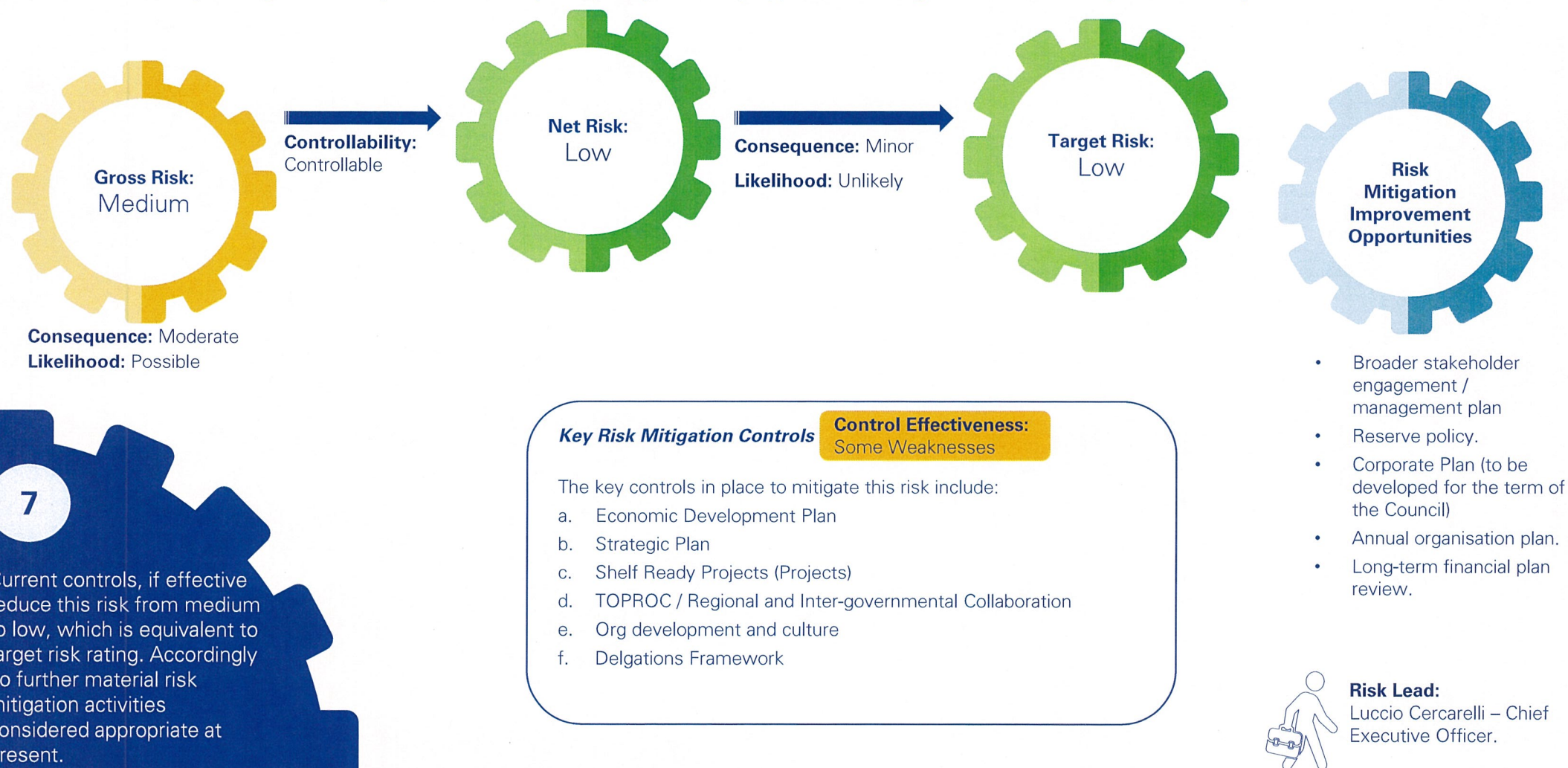
Risk Lead:
Luccio Cercarelli – Chief Executive Officer.

Detailed Risk Analysis: Agile to Opportunities

The risk that the City of Palmerston...

Fails to be agile to respond to growth opportunities

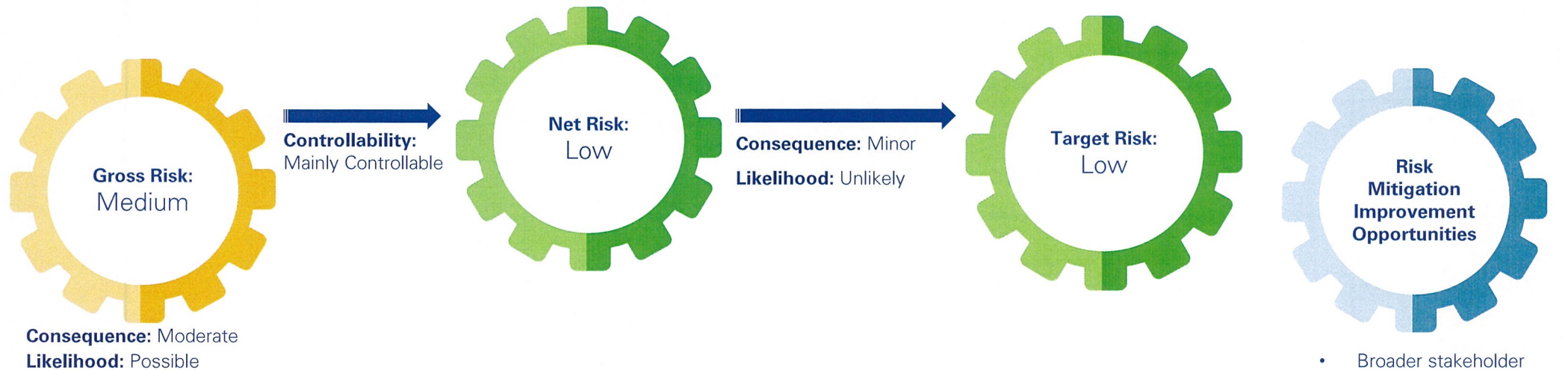
Context: Ensuring the organisation is positioned to respond quickly to take up opportunities for growth both internally and externally.



The risk that the City of Palmerston...

Fails to develop effective relationships and manage expectations of relevant parties

Context: Engagement and communication with stakeholders (internal and external to the Council).



Consequence: Moderate
Likelihood: Possible

Key Risk Mitigation Controls

Control Effectiveness:
Some Weaknesses

The key controls in place to mitigate this risk include:

- TOPROC / Regional and Inter-governmental Collaboration
- Culture
- Advisory Groups/Networks
- Customer satisfaction Surveys
- Community Communications
- KPIs

- Broader stakeholder engagement / management plan
- Cultural Transformation Program (client centric, customer centric, empowerment, sharing)
- Improving relationships with political parties, elected members and Council staff.

Risk Lead:
Luccio Cercarelli – Chief Executive Officer.



8

Current controls, if effective reduce this risk from medium to low, which is equivalent to target risk rating. Accordingly no further material risk mitigation activities considered appropriate at present.

Disclaimers

Inherent Limitations

This report has been prepared as outlined in the Scope Section. The services provided in connection with this engagement comprise an advisory engagement, which is not subject to assurance or other standards issued by the Australian Auditing and Assurance Standards Board and, consequently no opinions or conclusions intended to convey assurance have been expressed.

Due to the inherent limitations of any internal control structure, it is possible that fraud, error or non-compliance with laws and regulations may occur and not be detected. Further, the internal control structure, within which the control procedures that have been subject to the procedures we performed operate, has not been reviewed in its entirety and, therefore, no opinion or view is expressed as to its effectiveness of the greater internal control structure. The procedures performed were not designed to detect all weaknesses in control procedures as they are not performed continuously throughout the period and the tests performed on the control procedures are on sample basis. Any projection of the evaluation of control procedures to future periods is subject to the risk that the procedures may become inadequate because of changes in conditions, or that the degree of compliance with them may deteriorate.

No warranty of completeness, accuracy or reliability is given in relation to the statements and representations made by, and the information and documentation provided by, City of Palmerston management and personnel consulted as part of the process.

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The findings in this report have been formed on the above basis.

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AGENDA ITEM: 13.2.2

REPORT TITLE: Review of Council Policy *FIN17 Rate Concession*

REPORT NUMBER: 9/0228

MEETING DATE: 21/05/2019

AUTHOR: Executive Manager Finance, Shane Nankivell

APPROVER: Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

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

PURPOSE

This report seeks Council approval to amend Council Policy *FIN17 Rate Concession*.

KEY MESSAGES

- Council is not obliged to provide any rate concession. However, to provide a rate concession for providing a public benefit it must have a Council policy adopted.
- The policy was last reviewed in July 2018.
- Council Policy *FIN17 Rate Concession* is reviewed annually.
- The policy is considered appropriate; however, two minor amendments are proposed. These relate to updating position titles.

RECOMMENDATION

1. THAT Report Number 9/0228 entitled Review of Council Policy *FIN17 Rate Concession* be received and noted.
2. THAT Council endorse the following amendments to Council Policy *FIN17 Rate Concession* as **Attachment A** to Report Number 9/0228 entitled Review of *FIN17 Rate Concession* Policy.

These amendments are:

- Change of Responsible Officer to Executive Manager Finance.
- Under clause 4.3.1, change of addressee to Chief Executive Officer.

BACKGROUND

At the 2nd Ordinary Council Meeting of 17 July 2018 Council made the following decisions:

25.1.1 *Review of Council Policy FIN17 Rate Concession Policy* C9/0046

1. THAT Report Number C9/0046 entitled Review of Council Policy *FIN17 Rate Concession* be received and noted.

2. *THAT in accordance with section 167(2) of the Local Government Act Council adopt Council Policy FIN17 Rate Concession at **Attachment B** to Report Number C9/0046 entitled Review of Council Policy FIN17 Rate Concession as the amended Council Policy FIN17 Rate Concession.*
3. *THAT Council Decisions relating to Report Number C9/0046 entitled Review of Council Policy FIN17 Rate Concession be moved to the 17 July 2018 Open Minutes.*

CARRIED 9/0192 – 17/07/2018

Council reviews the Rate Concession Policy each year in conjunction with the development of the Municipal Plan.

DISCUSSION

As per the Council policy review schedule, Council Policy *FIN17 Rate Concession* is due for review. This policy has been reviewed by staff, and only minor amendments to position titles are recommended.

These changes are:

- Change of Responsible Officer from Finance Manager to Executive Manager Finance
- Change to clause 4.3.1 that an application for waiver of rates, charges or legal fees is to be submitted to the Chief Executive Officer rather than the Director of Corporate Services.

There are no further changes recommended as the policy is considered appropriate.

CONSULTATION PROCESS

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

- Rates Officer

POLICY IMPLICATIONS

If adopted, the amended version of *FIN17 Rate Concession* at **Attachment A** will become the policy of Council.

BUDGET AND RESOURCE IMPLICATIONS

Council provides \$25,000 in rate concessions to sporting and community organisations throughout the financial year. An additional \$65,000 is also budgeted for in the draft 2019/20 budget for concessions in relation to economic development.

The interest rescinded on hardship applications is immaterial. Depending on the number of applications and the levels of debt this may equate to few thousand dollars in forgone penalty interest.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

There is no legislative requirement to grant any rate concessions to any organisation. However, if Council wishes to provide concessions to organisations that provide a public benefit, it must adopt a rate concession policy as per the *Local Government Act*.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

ATTACHMENTS

Attachment A: Amended Council Policy *FIN17 Rate Concession*

Name:	Rate Concession		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Executive Manager Finance		
Approval Date:		Next Review Date:	[Next Review]
Records Number:		Council Decision:	

1 PURPOSE

This Policy provides a framework and guidance for applying rates concessions in line with the requirements of the *Local Government Act* to eligible ratepayers.

2 PRINCIPLES

The City of Palmerston is committed to providing a transparent, impartial and consistent process of application and consideration for rate concessions and/ or remission of interest accrued on overdue rates.

3 DEFINITIONS

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

Term	Definition
Rate concession	As defined by section 164 of the <i>Local Government Act</i> .
Waiver	A waiver removes the liability to pay and may be offered to include the whole or part of rates and/or legal charges.
Financial Hardship	Financial hardship is where a ratepayer is found to be unable, because of illness, unemployment or other reasonable cause, to discharge their financial obligations towards the City of Palmerston.
Public Benefit Concessions	As defined by Section 167 of the <i>Local Government Act</i> .

4 POLICY STATEMENT

4.1 Financial Hardship

- 4.1.1 Council may grant a rates concession upon application for the balance of a financial year for proven financial hardship.
- 4.1.2 For financial hardship to be proven, the ratepayer must be assessed as experiencing hardship by a recognised independent financial counsellor.
- 4.1.3 Financial hardship applications must be accompanied by a reasonable payment plan.
- 4.1.4 If the payment plan is not honoured, the hardship application becomes void and overdue interest and any legal charges will begin to be applied to the ratepayer's account.

4.2 Public Benefit Concessions

- 4.2.1 A rates concession may be granted if the Chief Executive Officer is satisfied that the concession will advance one or more of the purposes outlined in section 167 of the *Local Government Act*.

FIN17

- 4.2.2 Any application for a rate concession requires a written submission by the organisation explaining why the submission should be considered and how it satisfies the condition in 4.2.1.
- 4.2.3 Sporting and community organisations cannot apply for a rates concession on a property that caters for gambling or that holds a license related to gambling.
- 4.2.4 Sporting and community organisations must provide with their application a copy of their most recent audited financial statements and the constitution of the organisation. The constitution must clearly prohibit any member of the organisation making a private profit or gain, either from ongoing operations or as a result of distributions of assets if the organisation is wound up.
- 4.2.5 To be considered for a rates concession, sporting and recreation community groups must provide substantial community benefit by meeting at least two of the following criteria:
- a) The facility is regularly used for junior development.
 - b) The facility is regularly used by members of the public other than members of the organisation at no charge.
 - c) Where unrestricted/free access is not possible due to the type of facility, the organisation must provide 'pay as you play' type activities.
 - d) Where unrestricted or un-supervised access is not possible to the facility due to the type of facility, organisations must demonstrate other methods of encouraging community access through open days, come and try events etc.
- 4.2.6 Sport and recreation community groups are eligible for one of the following rates concessions:
- a) Category 1: Not for profit organisations that undertake sporting or recreational activities and that predominately rely on player fees, community support and/or grants regardless if they have a special liquor license for events or social purposes can apply for a rates concession that reduces their rates to the declared minimum rate for that zone under the NT Planning Scheme;
 - b) Category 2: Not for profit organisations that hold a liquor license and operate a commercial bar, that is open to the public regular hours irrespective of events held at the location, or that has a license to sell take away alcohol can apply for a 50% rates concession or a concession that reduces their rates to the declared minimum rate for their zone under the NT Planning Scheme, whichever result in a lower concession.
- 4.3 **Waiving of Rates, Charges or Legal Fees**
- 4.3.1 Any other application for a waiver of rates, charges or legal fees is to be submitted to the Chief Executive Officer in writing from the ratepayer or the ratepayer's agent, with reasons as to why the waiver should be considered.
- 4.3.2 Any waiver is a one-off waiver in response to circumstances presented at the time.

5 ASSOCIATED DOCUMENTS

- 5.1 City of Palmerston Declaration of Rates and Charges

6 REFERENCES AND RELATED LEGISLATION

- 6.1 *Local Government Act*

AGENDA ITEM:	13.2.3
REPORT TITLE:	Adoption of the Draft Council Policy <i>AD03 Alcohol Management</i>
REPORT NUMBER:	9/0233
MEETING DATE:	21/05/2019
AUTHOR:	Acting Director Lifestyle and Community, Amelia Vellar
APPROVER:	Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

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

PURPOSE

This report seeks Council's adoption of the City of Palmerston draft policy *AD03 Alcohol Management* following a 21 day public consultation from 22 March to 12 April 2019.

KEY MESSAGES

- Council has undertaken a 21 day public consultation.
- The community consultation period has now concluded.
- Council received three submissions; however, the submissions received had no relevant content to this consultation.
- Consultation with police officers from the Palmerston Division suggested an amendment to the draft Policy.
- It is being recommended that Council adopt the draft Council Policy *AD03 Alcohol Management*, with an amendment to include proof of the completion of a Northern Territory Police Party Smart Registration Form.

RECOMMENDATION

1. THAT Report Number 9/0233 entitled Adoption of the Draft Council Policy *AD03 Alcohol Management* be received and noted.
2. THAT Council rescind Council Policy *AD03 Liquor Licence* being **Attachment D** to Report Number 9/0233 entitled Adoption of the Draft Council Policy *AD03 Alcohol Management*.
3. THAT Council adopt the amended Council Policy *AD03 Alcohol Management* being **Attachment C** to Report Number 9/0233 entitled Adoption of the Draft Council Policy *AD03 Alcohol Management*.

BACKGROUND

At the 1st Ordinary Council Meeting of 13 December 2016 Council made the following decisions:

Draft AD03 Liquor Licence Policy

8/1042

1. *THAT Council receives Report Number 8/1042.*

CARRIED 8/2381 – 13/12/2016

2. *THAT Council endorses Attachment A to Report Number 8/1042.*

CARRIED 8/2382 – 13/12/2016

The draft Council Policy AD03 Alcohol Management was presented at the 2nd Ordinary Council Meeting of 19 March 2019 Council made the following decisions:

13.1.5 Review of Council Policy AD03 Liquor Licence

9/0185

1. *THAT Report Number 8/0185 entitled Review of council Policy D03 Liquor Licence be received and noted.*
2. *THAT Council adopt Draft Council Policy AD03 Alcohol Management at **Attachment B** to Report Number 9/0185 entitled Review of Council Policy AD03 Liquor Licence, for the purposes of 21 days public consultation, with the follow amendments:*
 - *Addition of a criterium to 4.1 being the impact to visitors in the municipality.*
 - *Inclusion of a general policy statement indicating that vendors who propose to serve alcohol at Council events or on Council property, should be members of the Palmerston and Litchfield Liquor Accord.*
 - *Minor administrative changes.*
3. *THAT a further report with the outcomes of the public consultation, along with any recommended change to the Draft Council Policy AD03 Alcohol Management at **Attachment B** to Report Number 9/0185 entitled Review of Council Policy AD03 Liquor Licence, be presented to an Ordinary Council Meeting by the end of May 2019*

CARRIED 9/0533 – 19/03/2019

The public consultation period has been completed. This report presents the outcomes of consultation and recommends adoption of policy.

DISCUSSION

Community consultation of the draft Council Policy AD03 Alcohol Management at **Attachment A** was undertaken from 22 March to 12 April 2019.

Three responses were formally received through the website during the consultation period. None of the three submissions received made any reference to the consultation.

Consultation with police officers from the Palmerston Division encouraged an amendment to the policy to include the completion of the Party Smart Registration Form at **Attachment B**, which will register

your party and increase the safety of your event. Police may not attend but ensuring that they are aware will assist in their responding to any issues that may arise or get out of control. Once this amendment has been made, it is recommended that the policy be adopted by Council with no further changes being made to the document.

It is recommended that Council adopt amended Policy *AD03 Alcohol Management* with the amendment to include Party Smart Registration. The amended policy is provided at **Attachment C**.

CONSULTATION PROCESS

The following external parties were consulted during the consultation process:

- Police Officers from the Palmerston Division

Council undertook a 21 day Community Consultation, from 22 March to 12 April 2019, seeking feedback on the draft *AD03 Alcohol Management Policy*. There were no public submissions received that related to the policy, however the three submissions received had no relevant content.

POLICY IMPLICATIONS

It is recommended that existing policy *AD03 Liquor Licence* at **Attachment D** be received and replaced with policy *AD03 Alcohol Management* at **Attachment C**.

BUDGET AND RESOURCE IMPLICATIONS

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

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

There is a reputational risk to Council by not taking into consideration outcomes outlined in the Draft Community Plan.

The social implications of failing to address alcohol management are outlined in the Riley Report and include increased criminal activity, increased road death toll and an increase in alcohol related health outcomes.

Licensing NT is responsible for the regulation of liquor licences for venues wishing to sell alcohol, however Council risks reputational damage if it does not advocate the wishes of the community in responding to liquor licence applications.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

ATTACHMENTS

Attachment A: Draft Council Policy AD03 Alcohol Management

Attachment B: Northern Territory Party Smart Registration Form

Attachment C: Amended Council Policy AD03 Alcohol Management

Attachment D: Council Policy AD03 Liquor Licence

AD03

Name:	Alcohol Management		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director Lifestyle and Community		
Approval Date:	19/03/2019	Next Review Date:	21/03/2023
Records Number:		Council Decision:	

1 PURPOSE

This policy provides staff direction regarding the assessment of applications for the operation of licensed venues seeking a liquor licence in the Palmerston Municipality and guidance on Council's management of alcohol provision on Council premises.

This policy applies to all comments Council staff provide to the Northern Territory Government (NTG) (Licensing NT) in regard to liquor licence applications for new liquor licences or changes and/or operation of existing licences under the *Liquor Act*.

This policy will also demonstrate how Council will meet the City of Palmerston Community Plan commitment to consider the social implications of all planning and decision making when contributing to Territory planning processes.

2 PRINCIPLES

Council is committed to providing a healthier and safer place for residents and visitors and a key aspect of this is via input Council provides on liquor licence applications within the Palmerston municipality and responsible alcohol management on its own premises and public spaces.

It is imperative that Council have a set criterion to consider relevant Liquor Licence applications to provide relevant comments under section 47F of the *Liquor Act* and other relevant legislation and if required, object to those applications that are inconsistent with an area or locality.

3 DEFINITIONS

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

Term	Definition
Council Premises	Any land or buildings under the effective control of Council
Liquor Licence	Means a licence issued under the <i>Liquor Act</i>
Liquor	Means a beverage that contains more than 1.15% by volume of ethyl alcohol
Sensitive Land Use	<ul style="list-style-type: none"> - Schools, childcare centres and other places principally used by children. Seniors living residential developments; - Community Centres; - Places of Public Worship; and Other land uses identified at the time of an application.
Residential Areas	Land contained within a residential zone under the <i>NT Planning Scheme</i>

4 POLICY STATEMENT

4.1 Assessment Criteria for Liquor Licence Applications

Council will consider, but is not limited to, the following criteria when considering liquor licence applications and formulating comments to Licensing NT:

- 4.1.1 Proximity and potential impacts on sensitive land uses. *(Will the proposed licence impact on any nearby sensitive land uses by way of noise impacts, increased occurrences of itinerancy or antisocial behaviour etc?)*
- 4.1.2 Hours of operation. *(Is the proposal consistent with the operation hours of the surrounding land uses?)*
- 4.1.3 Number of existing/proposed/approved licensed venues in the locality. *Consideration of (represented spatially) existing/proposed/approved licensed venues in the locality with regards to the social conditions of the locality (a review of Socio-Economic Indexes for areas (SEIFA) data if required)*
- 4.1.4 Number and nature of complaints lodged with Council in relation to an existing licensed premise. *(if applicable)*
- 4.1.5 The extent to which the premise has been designed to minimise the impacts of its activities on an adjacent residential development. *(Considerations include Crime Prevention through Environmental Design Principles, noise attenuation measures, landscaping or fencing buffers between any car parking, service area, outdoor storage area and surrounding land use)*
- 4.1.6 Level of security and surveillance to be adopted by the licensed premises. *(Is the existing/proposed level of security and surveillance to be adopted by the licensed premises adequate for the locality or surrounding land uses?)*
- 4.1.7 Does the application conflict with Community Plan objectives?
- 4.1.8 Does the application raise any additional matters of non-compliance with other legislation that may be relevant? *(Does the proposed licence operation have the relevant Planning permits/approvals?)*
- 4.1.9 Information contained with the Community Impact Assessment that accompanies applications.

Should an application raise significant conflicts with the above criteria it may be in the interest of Council to object to an application on relevant grounds.

An objection to an application should be made under Section 47F of the *Liquor Act* and based on conflicts or non-compliance with other relevant legislation.

4.2 Alcohol at on Council Premises

- 4.2.1 Council does not generally serve alcohol at community events; however, alcohol may be served as appropriate at Council run limited access events (eg. ticketed or by invitation only events) or unique events. This will be determined by the Chief Executive Officer on a case by case basis, with consideration of all relevant factors.
- 4.2.2 Council is prepared to allow the consumption of alcohol at privately run events on Council premises (eg. parties, weddings) subject to written application advising of the provision of alcohol.

AD03

- 4.2.3 Organisers will need to demonstrate that they have complied with all relevant legislative and Council requirements and have engaged with NT Police.
- 4.2.3 Council also reserves the right to impose additional conditions, including security arrangements, recovery of cleaning costs and an increased bond if it is deemed necessary for private events on Council premises.
- 4.3 **Sponsorship of Council Events**
Where sponsorship arrangements incorporating provision or promotion of alcohol are being considered as a way of assisting to meet the costs of a Council event, consideration must be given to the following:
- The role, nature and value of the sponsorship package. The supply and service of alcohol as a main element of a sponsorship package is generally inconsistent with this policy, however an assessment of the role and purpose for the supply of alcohol will need to demonstrate alignment with the event setting.
 - Should the event be an open access (ie. all ages), the service of alcohol must not compromise access to the event.
 - The values of the sponsor must align with the values of Council as outlined in Council's Community Plan and requirements of Council policies as applicable.

5 ASSOCIATED DOCUMENTS

- 5.1 City of Palmerston Community Plan

6 REFERENCES AND RELATED LEGISLATION

- 6.1 *Liquor Act*
6.2 *Planning Act*
6.3 *Northern Territory Planning Scheme*



PARTY SMART

REGISTRATION FORM

Party Details:

Party Date: _____

Start Time: _____ Finish Time: _____

Address of Party: _____

Number of Guests attending: _____

Average Age of Guests: _____

Adult /Supervisor Present: **Yes** or **No**

Name and contact number of Adult Supervisor if applicable _____

What is the Occasion: _____

Will there be Alcohol? **Yes** or **No**

Has this party been advertised on the internet or social networking sites? **Yes** or **No**

Party Organiser:

Name: _____

Contact Number: _____

Residential Address: _____

Name: Signature: Date:

DISCLAIMER

The Northern Territory Police Force accepts no responsibility or liability arising from an action taken by persons organising or attending a party registered through the lodgement of a Party Smart registration form or using information contained in the Party Smart kit to improve security.



PARTY SMART

REGISTRATION FORM

As a host, you have a duty-of-care for the safety and wellbeing of your guests. While you want them to have a good time you also want to minimise the potential for harm to persons and property as a result of excessive alcohol consumption or gate crashers. You could be held partly or fully responsible for something that happens to one of your guests at your party.

Registration of your party does not mean police will provide security for your party or that police will attend your party. The aim of police is not to turn up and ruin your night. However, on the day of the party police may attend or drive past the party address, or telephone you, to check that the party is proceeding safely.

Remember that, irrespective of whether your party is registered, police will respond to public complaints about party noise or the conduct of your guests, if the party gets out of hand or if it comes to the attention of police that an offence is being committed. For further information on this go to www.pfes.nt.gov.au/Police/Community-safety/Party-smart

The capacity of police to undertake patrols, or respond to an incident at a party, will depend on the resources available at the time and the nature of the event in question.

PARTY TIPS:

- **Inform neighbours in advance and provide a phone number in case they wish to contact you.**
- **Issue written invitations and make entry by invitation only. Avoid invitations by social media as numbers can quickly get out of control.**
- **Put a finishing time as well as start time on the invitation.**
- **If it's a young person's party make sure there are non-drinking adults attending and they have a planned and safe way to get home;**
- **Consider having security at your party**
- **Supply the drinks as BYO parties can lead to excessive supply and unsupervised drinking; limit supplies of full strength beer, wines and spirits;**
- **Provide alternatives to alcohol - non-alcoholic and low alcohol drinks allow guests to have a drink in their hand without increasing their alcohol consumption**
- **Feed you guests - eating can slow down the rate at which alcohol is absorbed, but avoid salty foods which will encourage more drinking.**

If all else fails – you're the host, you can ask people to leave. Be verbally assertive to gain control of the situation. Call police if matters are getting out of control, before they get worse.

DISCLAIMER

The Northern Territory Police Force accepts no responsibility or liability arising from an action taken by persons organising or attending a party registered through the lodgement of a Party Smart registration form or using information contained in the Party Smart kit to improve security.

AD03

Name:	Alcohol Management		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director Lifestyle and Community		
Approval Date:		Next Review Date:	21/03/2023
Records Number:		Council Decision:	

1 PURPOSE

This policy provides staff direction regarding the assessment of applications for the operation of licensed venues seeking a liquor licence in the Palmerston Municipality and guidance on Council's management of alcohol provision on Council premises.

This policy applies to all comments Council staff provide to the Northern Territory Government (NTG) (Licensing NT) in regard to liquor licence applications for new liquor licences or changes and/or operation of existing licences under the *Liquor Act*.

This policy will also demonstrate how Council will meet the City of Palmerston Community Plan commitment to consider the social implications of all planning and decision making when contributing to Territory planning processes.

2 PRINCIPLES

Council is committed to providing a healthier and safer place for residents and visitors and a key aspect of this is via input Council provides on liquor licence applications within the Palmerston municipality and responsible alcohol management on its own premises and public spaces.

It is imperative that Council have a set criterion to consider relevant Liquor Licence applications to provide relevant comments under section 47F of the *Liquor Act* and other relevant legislation and if required, object to those applications that are inconsistent with an area or locality.

3 DEFINITIONS

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

Term	Definition
Council Premises	Any land or buildings under the effective control of Council
Liquor Licence	Means a licence issued under the <i>Liquor Act</i>
Liquor	Means a beverage that contains more than 1.15% by volume of ethyl alcohol
Sensitive Land Use	<ul style="list-style-type: none"> - Schools, childcare centres and other places principally used by children. Seniors living residential developments; - Community Centres; - Places of Public Worship; and Other land uses identified at the time of an application.
Residential Areas	Land contained within a residential zone under the <i>NT Planning Scheme</i>

4 POLICY STATEMENT

4.1 Assessment Criteria for Liquor Licence Applications

Council will consider, but is not limited to, the following criteria when considering liquor licence applications and formulating comments to Licensing NT:

- 4.1.1 Proximity and potential impacts on sensitive land uses. *(Will the proposed licence impact on any nearby sensitive land uses by way of noise impacts, increased occurrences of itinerancy or antisocial behaviour etc?)*
- 4.1.2 Hours of operation. *(Is the proposal consistent with the operation hours of the surrounding land uses?)*
- 4.1.3 Number of existing/proposed/approved licensed venues in the locality. *Consideration of (represented spatially) existing/proposed/approved licensed venues in the locality with regards to the social conditions of the locality (a review of Socio-Economic Indexes for areas (SEIFA) data if required)*
- 4.1.4 Number and nature of complaints lodged with Council in relation to an existing licensed premise. *(if applicable)*
- 4.1.5 The extent to which the premise has been designed to minimise the impacts of its activities on an adjacent residential development. *(Considerations include Crime Prevention through Environmental Design Principles, noise attenuation measures, landscaping or fencing buffers between any car parking, service area, outdoor storage area and surrounding land use)*
- 4.1.6 Level of security and surveillance to be adopted by the licensed premises. *(Is the existing/proposed level of security and surveillance to be adopted by the licensed premises adequate for the locality or surrounding land uses?)*
- 4.1.7 Does the application conflict with Community Plan objectives?
- 4.1.8 Does the application raise any additional matters of non-compliance with other legislation that may be relevant? *(Does the proposed licence operation have the relevant Planning permits/approvals?)*
- 4.1.9 Information contained with the Community Impact Assessment that accompanies applications.

Should an application raise significant conflicts with the above criteria it may be in the interest of Council to object to an application on relevant grounds.

An objection to an application should be made under Section 47F of the *Liquor Act* and based on conflicts or non-compliance with other relevant legislation.

4.2 Alcohol at on Council Premises

- 4.2.1 Council does not generally serve alcohol at community events; however, alcohol may be served as appropriate at Council run limited access events (eg. ticketed or by invitation only events) or unique events. This will be determined by the Chief Executive Officer on a case by case basis, with consideration of all relevant factors.
- 4.2.2 Council is prepared to allow the consumption of alcohol at privately run events on Council premises (eg. parties, weddings) subject to written application advising of the provision of alcohol.

AD03

- 4.2.3 Organisers will need to demonstrate that they have complied with all relevant legislative and Council requirements by completing a Northern Territory Police Party Smart Registration Form.
- 4.2.3 Council also reserves the right to impose additional conditions, including security arrangements, recovery of cleaning costs and an increased bond if it is deemed necessary for private events on Council premises.
- 4.3 **Sponsorship of Council Events**
Where sponsorship arrangements incorporating provision or promotion of alcohol are being considered as a way of assisting to meet the costs of a Council event, consideration must be given to the following:
- The role, nature and value of the sponsorship package. The supply and service of alcohol as a main element of a sponsorship package is generally inconsistent with this policy, however an assessment of the role and purpose for the supply of alcohol will need to demonstrate alignment with the event setting.
 - Should the event be an open access (ie. all ages), the service of alcohol must not compromise access to the event.
 - The values of the sponsor must align with the values of Council as outlined in Council's Community Plan and requirements of Council policies as applicable.

5 ASSOCIATED DOCUMENTS

- 5.1 City of Palmerston Community Plan

6 REFERENCES AND RELATED LEGISLATION

- 6.1 *Liquor Act*
6.2 *Planning Act*
6.3 *Northern Territory Planning Scheme*

AD03

Name:	Liquor Licence		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director City Grown and Operations		
Approval Date:	13/12/2016	Next Review Date:	1/10/2018
Records Number:	365877	Council Decision:	8/2382

1 PURPOSE

This policy provides staff direction regarding the assessment of applications for the operation of licensed venues seeking a liquor licence in the Palmerston local government area.

This policy applies to all comments Council staff provide to the Northern Territory Government (NTG) (Licensing NT) in regards to liquor licence applications for new liquor licences or changes and/or operation of existing licences under the *NT Liquor Act (Liquor Act)*.

2 PRINCIPLES

2.1 Background

Alcohol plays a significant social role in Australia and liquor consumption in the Northern Territory is well above the average of most other states¹. Although most people consume alcohol in a socially responsible manner, alcohol misuse has the potential to cause considerable harm to individuals and to the wider community through violent and antisocial behaviour.

Like other communities across Australia, Palmerston has in recent years seen a proliferation and concentration of licensed premises in local areas. Many factors have contributed to this trend locally, including:

- The continuing dominant social role of alcohol;
- The high numbers of domestic and international visitors;
- Climatic conditions of the warm climate;
- High numbers of shift workers; and
- Substantial population growth.

As the tier of Government closest to the community, Local Governments are often the first point of call when a safety or health concern arises. The increasing numbers and concentration of licensed venues has resulted in increasingly vocal concerns by business, government agencies and residents about a range of negative impacts, most prominently, reduced amenity and reduced public safety or perceptions of public safety.

The Northern Territory Government (Licensing NT) is responsible for (amongst other regulatory roles) the regulation of liquor licences for venues wishing to sell alcohol. While Local Government does not have any decision making power in the liquor licensing process it does have the opportunity under the *Liquor Act* to provide comment to the NTG about the possible impact of licensed venues, or changes to venue operation on the local community.

The City of Palmerston is committed to providing a healthier and safer place for residents and visitors and a key aspect of this is via input Council provides on Liquor licence applications within the Palmerston Local Government Area.

¹ Caroline Gao, Rowan Ogeil and Belinda Lloyd – July 2014 – Alcohol's burden of disease in Australia

AD03

2.2 NT Liquor Act

In accordance with Section 47F (3)(e) of the *Liquor Act*, the City of Palmerston, as an agency or public authority that performs functions relating to public amenities, including health, education and public safety has the right to object to an application for the grant of a licence, a variation of a licence, an application for the substitution of other premises and an application for approval to make a material alteration to licensed premises.

Under the Section 47F (2) of the Act an objection may only be made on the ground that the grant of the licence, variation of conditions, substitution of other premises or material alteration may or will adversely affect:

- (a) the amenity of the neighbourhood where the premises the subject of the application are or will be located; or
- (b) health, education, public safety or social conditions in the community.

In addition to comments provided under Section 47F, Licensing NT has indicated that they encourage and will accept all comments and or grounds for objection Council have on a proposed application including items such as planning non-compliance or matters of inconsistency with other legislation that may be relevant. While not specifically under 47F these non-compliance matters have a high relevance to ensuring compliance with legislation within the Northern Territory that are worthy of mention in Council's comments to Licensing NT.

Based on the above it is imperative that Council have a set criteria to consider relevant Liquor Licence applications to provide relevant comments under section 47F and other relevant Legislation and if required, object to those applications that are inconsistent with an area or locality.

2.3 City of Palmerston Municipal Plan

The Municipal Plan plays the leading role in Council's Strategic Planning Framework, guiding all other planning and reporting activities. It is based on four Strategic Focus areas which cover the services and responsibilities of Council: Community & Cultural Wellbeing; Economic Development; Environment & Infrastructure; Governance & Organisation.

The criteria and principles to consider relevant Liquor Licence applications are based on ensuring alignment with the City of Palmerston Municipal Plan, in particular the aspects relating to Community & Cultural Wellbeing.

The adoption and implementation of this policy seeks to advance the Strategic Focus areas of the Municipal Plan by ensuring Liquor Licence applications are consistent with outcomes sought for the City of Palmerston under the Municipal Plan.

3 DEFINITIONS

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

Term	Definition
Liquor Licence	Means a licence issued under the NT Liquor Act
Liquor	Means a beverage that contains more than 1.15% by volume of ethyl alcohol
Sensitive Land Use	<ul style="list-style-type: none"> - Schools, childcare centres and other places principally used by children - Seniors living residential developments

AD03

	<ul style="list-style-type: none"> - Community centres - Place of Public Worship - Other land uses identified at the time of an application
Residential Areas	Land contained within a residential zone under the NT Planning Scheme

4 POLICY STATEMENT

4.1 Assessment Criteria for Liquor Licence Applications

The following criteria, amongst others not specified that may also be relevant, should be considered by Council when considering a liquor licence application and formulating comments to Licencing NT:

- 4.1.1 Proximity and potential impacts on sensitive land uses. (Will the proposed licence impact on any nearby sensitive land uses by way of noise impacts, increased occurrences of itinerancy etc?)
- 4.1.2 Hours of operation. (Is the proposal consistent with the operating hours of the surrounding land uses?)
- 4.1.3 Number of existing/proposed/approved licensed venues in the locality. *Consideration of (represented spatially) existing / proposed / approved licensed venues in the locality with regards to the social conditions of the locality (a review of Socio- Economic Indexes for Areas (SEIFA) data if required)*
- 4.1.4 Number and nature of complaints lodged with Council in relation to an existing licensed premise. *(if applicable)*
- 4.1.5 The extent to which the premise has been designed to minimise the impacts of its activities on any adjacent residential development. *(Considerations include Crime Prevention Through Environmental Design Principles, noise attenuation measures, landscaping or fencing buffers between any car parking, service area, outdoor storage area and surrounding land use)*
- 4.1.6 Level of security and surveillance to be adopted by the licensed premises. *(Is the existing/proposed level of security and surveillance to be adopted by the licensed premises adequate for the locality or surrounding land uses?)*
- 4.1.7 Does the application raise any additional matters of non-compliance with other legislation that may be relevant? *(Does the proposed licence operation have the relevant Planning permits/approvals?)*

Should an application raise significant conflicts with the above criteria it may be in the interest of Council to object to an application on relevant grounds. An objection to an application should be made under Section 47 (F) of the *Liquor Act* and/or based on conflicts or non-compliance with other relevant legislation.

5 ASSOCIATED DOCUMENTS

- 5.1 City of Palmerston Municipal Plan

6 REFERENCES AND RELATED LEGISLATION

- 6.1 NT Liquor Act
- 6.2 NT Planning Act
- 6.3 NT Planning Scheme

AGENDA ITEM:	13.2.4
REPORT TITLE:	Graffiti Buster Trailer
REPORT NUMBER:	9/0234
MEETING DATE:	21/05/2019
AUTHOR:	Manager Growth and Sustainability, Rebecca de Vries
APPROVER:	Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

Family and Community: Palmerston is a safe and family friendly community where everyone belongs.

PURPOSE

This report seeks to inform Council of the feasibility of funding a “Graffiti Buster Trailer” for use by the community and possible alternative options for graffiti management.

KEY MESSAGES

- Council currently has graffiti management strategies in place.
- To date, there has been limited take-up of Council's current graffiti support offerings which are offered at no-cost to residents.
- Council requested an investigation into the feasibility of a Graffiti Removal Trailer and other alternative options to assist with combatting graffiti in the community.
- It was found that Councils across Australia contribute to the removal of graffiti in a range of ways.
- Options that have been considered include:
 - Graffiti Removal Trailer;
 - Portable Graffiti Removal Systems; and
 - Sponsoring community groups to undertake graffiti removal.
- A Graffiti Removal Trailer or a Portable Graffiti Removal system are possible, however a community grant scheme is recommended.
- The recommended option reduces risk and liability for Council and allows a trial without significant upfront investment to determine community interest.
- If the sponsorship is well taken up by the community, this could indicate that there is sufficient demand for Council to invest in a Graffiti Removal Trailer.

RECOMMENDATION

1. THAT Report Number 9/0234 entitled Graffiti Buster Trailer be received and noted.
2. THAT Council establish a Graffiti Busting Grant Fund to commence from 1 July 2019 with the following conditions:
 - \$5,000 total fund;
 - \$500 per instance;
 - community Groups can access funding; and
 - conditions, including consent of property owner, to be determined.

BACKGROUND

Council currently has a number of approaches to address graffiti in the community. These include:

- Making online reporting of graffiti available on the Council website.
- Reimbursing residents up to \$50 for products purchased to remove graffiti. Any further request for reimbursement is at the discretion of Council.
- Providing free graffiti removal kits for residents.

The graffiti removal kits contain safety equipment, graffiti removal chemicals and wipes and instructions on how to use the kits. The kits are able to remove graffiti from a variety of surfaces including painted surfaces, stone, tiles, stainless steel and Colorbond. To date there have been no requests from members of the community for a graffiti removal kit.

There have been five reports received since October 2018 through the online reporting portal.

When graffiti on Council property has been identified (either by Staff or via the online reporting), Council is committed to ensuring this is removed within five working days. Where the graffiti is offensive, Council is committed to having this removed within 24 hours.

Council generally does not remove graffiti if it is on property which is not under the control of Council, however may remove graffiti from land which is not under Council control if it is offensive and visible from a public area. This is considered on a case-by-case basis.

At the 1st Ordinary Council Meeting of 5 March 2019 Council made the following decision:

12.1 Graffiti Buster Trailer

THAT a report be prepared outlining the feasibility of a "Graffiti Buster Trailer" to be funded, and made available, to members of the community or other suitable alternatives, to combat graffiti around Palmerston City, be presented to Council by the 2nd Ordinary Council meeting in May 2019.

CARRIED 9/0506 – 05/03/2019

This report considers the Graffiti Busting Trailer and any alternative options.

DISCUSSION

It is understood that the intent of the request from Council is seeking to provide additional options available to combat graffiti in the community. In response to this, staff have investigated how graffiti removal is managed by other Council's in Australia and have found three alternative methods not currently employed by Council. These include:

- Graffiti Removal Trailers.
- Portable Graffiti Removal Systems.
- Sponsoring community groups to undertake graffiti removal.

Graffiti Removal Trailers

Council staff contacted seven other Councils across Australia who have Graffiti Removal Trailers to investigate how these operate, what equipment is included and how effective these are. It was found that these other Council's manage their Graffiti Removal Trailers in a range of ways, including:

- Training volunteers who remove graffiti from private property.
- Collaborating with other agencies to carry out graffiti removal. An example of this was one Council that had a dedicated officer who managed the reporting of graffiti and worked with a team from Corrective Services under a Memorandum of Understanding (MOU).
- Providing the trailer to a community group subject to completing an induction course or signing a disclaimer/waiver.

Across the Councils researched, usage of their trailers were relatively consistent on a weekly basis, however, this was mostly by volunteer groups or through collaboration with other agencies as mentioned above. Where other Councils collaborate with other agencies on the use of the trailer, Council is involved in the removal process and is able to oversee the safe operation and use of this equipment. Similarly with the training of volunteers and providing induction courses and signing disclaimers, these are designed to mitigate risks to Council.

Typically, these trailers include items such as:

- A compressor
- Chemicals
- Safety equipment
- Tap and hose connections
- Water
- Cleaning products such as brooms, steel wool, rags
- Safe operating procedure manual or DVD

Most of the Councils researched did not provide paint as part of their Graffiti Removal Trailers. A Graffiti Removal Trailer available from Cairns Regional Council in Queensland is shown in the image below:



A Graffiti Removal Trailer is expected to cost about \$12,000 to purchase with associated equipment. This represents a significant investment for graffiti removal. Council recently supported MacKillop

College by providing sponsorship to undertake a successful graffiti removal project. Council has not been approached by any other community groups seeking Council support to undertake graffiti removal projects. It is noted that there may be interest from community groups which Council is unaware of.

A breakdown of the approximate costs is further detailed within the budget and resource implications section of this report.

There are potential risks and resource implications for Council when making a Graffiti Removal Trailer available for hire. User safety is a relevant consideration, noting that the trailer would likely contain chemicals and could potentially include paint. Having these chemicals available to the public poses a risk to Council, as by doing this, Council would have a duty of care in ensuring that the hirer of the trailer has been suitably trained in the use of the chemicals and has sufficient knowledge of the properties of the chemicals. It is possible that if the hirer of the trailer was to use the chemicals and cause damage to another person's property, Council could be liable for the damage.

To manage this, Council would require staff who are suitably trained in the use and storage of the chemicals and ensure they have sufficient knowledge of the properties of the chemicals in order to carry out inductions to hirers.

With respect to the operation of the trailer, Council will need to ensure chemicals are appropriately stored and the trailer is maintained in a good condition to manage traffic risks.

Typically, most Council's require the user/hirer to provide a release and indemnity at the time of hiring. This form includes the release of Council from liability and the indemnity by the hirer for Council in respect of any claims made against Council arising from the hire.

If Council was to consider proceeding with this, Council would need to further investigate training required for staff and hirers in the use and storage of chemicals, liability waivers that would need to be developed, and further investigate the liability risks to Council in any incident as a result of the trailer hire.

Portable Graffiti Removal Systems

A Portable Graffiti Removal System (PGRS) is an alternative option to a Graffiti Removal Trailer which typically consists of a 110-litre wheelie bin, similar in size to a mobile garbage bin, weighing approximately 20 kilograms stocked with the following items:

- Safe operating procedures and instruction manual.
- High pressure cleaner, trigger gun, spray lances and manual.
- Tap and hose connections.
- Electrical extension cable for HPWS (25m).
- Safety equipment.
- Products i.e. graffiti remover, buckets, rags.

An image of a PGRS and its contents is provided in the image below.



The cost of a PGRS is significantly less than that of a Graffiti Removal Trailer, costed at about \$450, however, there are limitations with this system as it requires the user to have access to both power and water. It also requires that the user has a means of transporting the system, noting the dimensions.

The same potential risks apply to Council for the PGRS with respect to chemicals as they would for a Graffiti Removal Trailer. These can be mitigated through ensuring staff are suitably trained in the use, storage and properties of the chemicals in order to carry out inductions to hirers, and requiring a release and indemnity to be signed at the time of hiring.

Community Sponsorship:

A different option which Council may consider is to offer sponsorship to community groups to assist in the removal of graffiti. This sponsorship could be accommodated within existing operational budgets for graffiti removal.

This is considered a practical approach to encouraging graffiti removal in the community, generating goodwill for Council through the financial support that can be provided towards achieving a positive outcome for the community (graffiti removal).

It is noted however that sponsorship does not provide equipment, which may be a key factor in limiting the extent of participation in graffiti removal by community groups.

Conclusion

Upon review of the different graffiti management strategies, being a Graffiti Removal Trailer, a PGRS or sponsorship, it is noted that all three options have strengths and weaknesses.

A Graffiti Removal Trailer will require significant financial investments and additional human resourcing. There are risks associated with making a trailer available, however these can be managed. Further legal advice would need to be sought if Council was to proceed with this purchase. Council is also not engaged in a partnership with any other agency or organisation in the use of the trailer and would be dependent on level of interest from the public or community on the return on investment for this piece of equipment.

A PGRS is a smaller scale alternative to a Graffiti Removal Trailer. Whilst this is a cheaper and more portable option, it is limited in use if power or water supply is not available. Risks associated with availability of chemicals would also need to be managed.

The third option, being sponsorship for community groups to undertake graffiti removal removes Council from risks associated with providing chemicals and equipment. It provides participants with the funding to secure equipment and supplies to participate in graffiti removal.

Whilst a Graffiti Removal Trailer or PGRS are possible, it is recommended that Council commit \$5,000 from the current budget for community sponsorship of up to \$500 per instance for graffiti removal. This trial period would last for 12 months. This will allow Council to gauge the from community groups in undertaking graffiti removal projects. If there is significant demand for sponsorship, further opportunities for graffiti removal support, including a graffiti removal trailer offered by Council can be budgeted for in future years.

Council will monitor the number of requests received grant funding and report on these in the quarterly departmental reports.

CONSULTATION PROCESS

In preparing this report, the following external parties were consulted:

- Seven councils across Australia with Graffiti Removal Trailers were contacted.

POLICY IMPLICATIONS

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

The operational budget would be able to accommodate sponsorship opportunities of \$500 per instance, with a total fund of up to \$5,000 available.

Based on the size of the current community trailers provided by Council the cost to purchase one specifically for graffiti removal would be in the vicinity of \$12,000. This is based on a single axle trailer similar to trailers that Council has available for the community.

A breakdown of approximate costs is detailed below:

- Trailer – average of \$9,000 (based on purchase costs of other community trailers).
- Equipment:
 - Compressor \$400;
 - Water tank \$70;
 - Materials hose and hose reel, taps, chemicals, safety equipment, etc. \$500.00; and
 - Set up costs to install equipment - \$2,000 (based on BBQ trailer set up costs).

Ongoing annual costs for a Graffiti Removal Trailer would include restocking, maintenance of equipment, servicing and insurance.

The cost to provide one PGRS would be approximately \$450, comprising of:

- Wheelie bin \$60
- High pressure cleaner \$140
- Materials, hoses, extension cords, chemicals, safety equipment, etc. \$250.

Ongoing annual costs would only include replenishment of supplies initially. Further costs would only be to replace the bin should it be damaged or the high-pressure cleaner if it were to break down.

The proposed sponsorship amount of \$500 is proposed to cover the cost of equipment hire, cleaning materials and paint.

Council is proactively exploring further ways to improve graffiti removal.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Legal advice was sought in relation to liability matters if a Graffiti Removal Trailer was made available by Council to the community.

Legal advice was sought specifically to address who would be liable if there was a traffic accident or damage to property as a result of using the Graffiti Removal Trailer. This includes removing graffiti without the property owner's consent or removing graffiti to a poor standard to the dissatisfaction of the property owner.

The legal advice received advised that if a typical traffic accident occurs while the trailer is attached to the hirer's vehicle, there can be no claim against Council at common law. The only claim can be for compensation under the *Motor Accidents (Compensation) Act*. The same would apply even if the vehicle and the trailer were stationary, and the injury occurred without there being a vehicle accident in the usual sense of that term, so long as it arose out of the use of the trailer. However, Council will be required to maintain the trailer in good working order, otherwise Council could be liable if the trailer is involved in an accident.

Council was advised that at the time of hiring, Council should require the hirer to complete a form documenting the hirer's details and releasing Council from liability and the indemnity by the hirer for Council in respect of any claims made against Council arising from the hire or use by the hirer.

If a hirer misuses the trailer by using chemicals or paint on a person's property without their permission the same principle applies. Council has not negligently or deliberately damaged the property; it is only the hirer who has done that. It is only the hirer who would be liable in this circumstance.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environmental sustainability implications as a result of this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

ATTACHMENTS

There are no attachments for this report.

AGENDA ITEM:	13.2.5
REPORT TITLE:	Third Quarter Budget Review 2018/19
REPORT NUMBER:	9/0232
MEETING DATE:	21/05/2019
AUTHOR:	Executive Manager Finance, Shane Nankivell
APPROVER:	Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

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

PURPOSE

This report seeks Council approval for the third review of the 2018/19 budget.

KEY MESSAGES

- Overall, Council is operating in-line with budget and all adjustments have been funded.
- The approved internal loan from reserves for *Making the Switch* has been drawn upon to the value of \$550,000.
- \$300,000 has been returned to the Infrastructure Reserve, comprising \$145,000 for sustainability programs, \$80,000 for covered picnic areas, and \$75,000 for pumps and switchboards, which have all been deferred for completion in next financial year. These reserves will be drawn down in 2019/2020.
- Unexpended Grants Reserve increases by \$614,000 for projects to be completed in 2019/20 in line with the terms of the individual agreements.

RECOMMENDATION

1. THAT Report Number 9/0232 entitled Third Quarter Budget Review 2018/19 be received and noted.
2. THAT Council adopts the Third Quarter Budget Review 2018/19, pursuant to Section 128 (2) of *Local Government Act* per **Attachment A** of Report Number 9/0232 entitled Third Quarter Budget Review 2018/19.
3. THAT Council adopts the reserve movements for 2018/19 of:
 - (i) Transfer to reserve:
 - \$614,000 transferred to Unexpended Grants Reserve;
 - \$300,000 transferred to Infrastructure Reserve;
 - \$195,000 transferred to Funds in Lieu of Construction Reserve;
 - \$16,307 transferred to Strategic Initiatives Reserve;

- (ii) Transfer from reserve
 - \$550,000 transferred from Funds in Lieu of Construction Reserve;
 - \$50,000 transferred from Infrastructure Reserve;
 - \$40,000 transferred from Plant & Equipment Reserve;
 - \$26,307 transferred from Strategic Initiatives Reserve;

as per **Attachment B** of Report Number 9/0232 entitled Third Quarter Budget Review 2018/19.

4. THAT Council adopts reserves movements, to allow delivery of programs, as at 1 July 2019 for 2019/2020 of:

- (i) Transfer from reserve:
 - \$614,000 transfer from Unexpended Grants Reserve;
 - \$300,000 infrastructure Reserve.

BACKGROUND

Council adopted the 2018/19 budget on 3 July 2018 as part of the Municipal Plan, and at the 1st Ordinary Council Meeting of 6 November 2018 Council adopted the First Budget Review 2018/19.

At the 2nd Ordinary Council Meeting of 19 February 2019 Council made the following decisions:

13.2.3 Second Quarter Budget Review 2018/19 9/0166

1. THAT Report Number 9/0166 entitled Second Quarter Budget Review 2018/19 be received and noted.
2. THAT Council adopts the Second Quarter Budget Review 2018/19, pursuant to Section 128(2) of Local Government Act per Attachment A of Report Number 9/0166 entitled Second Quarter Budget Review 2018/19.
3. THAT Council adopts the reserve movements for 2018/19 of:
 - (i) Transfer to reserve:
 - \$500,000 transferred to Unexpended Grants Reserve
 - \$400,000 transferred to Funds in Lieu of Construction Reserve
 - \$140,000 transferred to Infrastructure Reserve
 - (ii) Transfers from reserve:
 - \$150,000 transferred from Streetlight Reserve

As per **Attachment B** of Report Number 9/0166 entitled Third Quarter Budget Review 2018/19.

CARRIED 9/0485 – 19/02/2019

DISCUSSION

The Third Quarter Budget Review sees the delivery of a balanced budget with additional funds allocated to the Infrastructure and Unexpended Grants Reserves. There is a draw down from the Funds in Lieu

of Construction Reserve, Plant & Equipment Reserve and Strategic Initiatives Reserve. All other adjustments are a reallocation of internal funds, with the most significant changes outlined below:

Operational Income

Operational Income is increased by \$303,026 overall.

Interest and Investment Revenue increases by \$135,000 due to an improvement in interest rates and the amount of money invested compared to forecasts.

Other Income increases by \$140,000, which predominately comprises an increase of \$135,000. This relates to the 2018/19 portion of the agreement with Litchfield Council for the provision of services in relation to Taminmin Library.

There is a \$58,042 increase in Reimbursements, which relates to a reimbursement of fringe benefit tax (FBT) paid during the 2017/18 financial year. This reimbursement was issued as Council's FBT liability was lower than what the Australian Tax Office predicted what was required by Council to be paid in advance.

User Fees & Charges decrease by \$29,516 due to the Council approved amendment of fees for Alfresco Dining.

Grants, Subsidies and Contributions sees an overall increase of \$37,500, and consists of the following adjustments:

Additions

- \$72,500 grant received for Smart Cities & Suburbs.

Reductions

- \$11,000 grant income deferred to 2019/2020 for the Up Top Music Program.
- \$24,000 grant income reduction due to grants not being received in relation to youth services.

Operational Expenditure

Total Operating Expenditure decreases by \$332,676.

Employee Costs increase by \$135,000 due to the commencement of contract staffing for the Taminmin Library services agreement. This is directly proportional to the increase in income received for services.

Water Charges increase by \$219,960 as a result of an active irrigation program due to the unusually dry wet season. This has been offset by identified savings in operations.

Materials and Contractors reduce by \$298,223 due to efficiencies within Council contracts and works programs. This relates predominately to maintenance contracts for roads and open spaces. The reduction also includes an increased allocation of \$50,000 towards a recurring program of reline marking school crossings, and an extra \$15,000 for a proactive program for the slashing of long grass within the municipality.

An increase of \$30,000 for the preliminary work on a Sustainability Strategy has been included, this has been partly funded from the balance in the Strategic Initiatives Reserve of \$26,307, with the remaining funded from savings identified in consultancy budgets. Overall, due to additional savings in consultancy budgets Professional Services decrease by \$81,184,

Energy decreases by \$75,160 as a result of savings from the installation of energy efficiency treatments being installed in Council buildings such as the Solar Program and LED lighting.

Other Expenses decreased by \$296,125. This is predominantly due to the transfer of grant funds to Reserves to be drawn down and expended in the next financial year. This includes \$250,000 for the Youth Festival to be held in July, and \$4,000 for the Up Top Music Program.

Capital Income

Overall, Capital Income increases by \$269,306.

Developer Contributions have been received at a rate higher than expected, seeing a budget increase of \$150,000, this has been allocated to the Developer Funds in Lieu of Construction Reserve.

Proceeds from disposal of assets increased by \$119,306. This relates to the proceeds from sale of fleet vehicles and is being offset by a corresponding allocation for the purchase of new fleet vehicles.

Capital Expenditure

Overall an increase in Capital Expenditure is budgeted for \$446,008. and is made up of project budget increases, and transfers to Reserves.

Across all projects, there is an overall increase in Capital Expenditure of \$1,151,008, including:

- \$550,000 for *Making the Switch*
- \$123,500 increase in fleet purchases
- \$110,000 increase for the implementation of the CBD Car Parking Strategy
- \$100,000 for the Laneway Lighting Program
- \$72,500 for Smart Cities
- \$70,000 for digital radios for fleet
- \$44,300 towards the Palmerston Recreation Centre Capital Projects
- \$30,000 for *Splashing Out*

The transfer from Capital Expenditure to Reserves of \$705,000 includes:

- \$360,000 to the Unexpended Grants Reserve for an unspent grant relating to roads. This will be drawn down in 2019/20 to complete the project.
- \$145,000 to the Infrastructure Reserve for sustainability programs. This will be drawn down in 2019/20 to complete the project.
- \$80,000 to the Infrastructure Reserve for covered picnic areas. This will be drawn down in 2019/20 to complete the project.
- \$75,000 to the Infrastructure Reserve for pump renewals and switchboards. This will be drawn down in 2019/20 to complete the project.
- \$45,000 to the Developer Funds in Lieu of Construction Reserve for deferred new driveways.

Reserves

At the end of the Second Quarter Review 2018/19, the total reserve balance was \$13,676,516

Through the Third Quarter Budget Review 2018/19 process the total reserves balance is expected to increase by a further \$459,000 by the end of the financial year to \$14,135,516. The movement in Reserves can be attributed to:

- (i) Transfer to reserve:
 - \$614,000 transferred to Unexpended Grants Reserve
 - \$360,000 for the Road Asset Grant
 - \$250,000 for the Youth Festival
 - \$4,000 for the Up Top Music Program
 - \$300,000 transferred to Infrastructure Reserve
 - \$145,000 for Sustainability Programs
 - \$80,000 for Covered Picnic Areas
 - \$75,000 for Pump Renewals & Switchboards
 - \$195,000 transferred to Funds in Lieu of Construction Reserve
 - \$150,000 from an increase in Developer Funds received
 - \$45,000 for deferred from New Driveways
 - \$16,307 transferred to Strategic Initiatives Reserve
- (ii) Transfer from reserve
 - \$550,000 transferred from Funds in Lieu of Construction Reserve for *Making the Switch*
 - \$50,000 transferred from Infrastructure Reserve for CBD Car Parking Strategy
 - \$40,000 transferred from Plant & Equipment Reserve for Fleet Purchases
 - \$26,307 transferred from Strategic Initiatives Reserve for the Sustainability Strategy

CONSULTATION PROCESS

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

- Budget Officers

POLICY IMPLICATIONS

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

The budget and resource implications are detailed in body of this report and the attachments.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

In accordance with Section 128 of the *Local Government Act* the budget amendments will be published on Council's website and an advertisement will be placed in the NT News.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

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

ATTACHMENTS

Attachment A: Statement of Comprehensive Income

Attachment B: Statement of Reserves

STATEMENT OF COMPREHENSIVE INCOME
31/03/2019

	Original Budget	1st Review Increase/ (Decrease) \$	2nd Review Increase/ (Decrease) \$	3rd Review Increase/ (Decrease) \$	Revised Budget \$
Operating Income					
Rates & Annual Charges	27,687,085	240,000	35,200	0	27,962,285
Statutory Charges	166,500	0	0	0	166,500
User Charges & Fees	1,432,240	-45,000	48,000	-29,516	1,405,724
Interest & Investment Revenue	963,160	0	0	135,000	1,098,160
Reimbursements	0	0	0	58,042	58,042
Other Income	1,500	0	19,686	140,000	161,186
Grants, Subsidies & Contributions	2,283,044	-747,471	396,000	37,500	1,969,073
Total Operating Income	32,533,529	-552,471	498,886	341,026	32,820,970
Operating Expenses					
Employee Costs	8,671,994	0	0	135,000	8,806,994
Professional Services	1,472,067	247,600	-30,000	-81,184	1,608,483
Auditor's Remuneration	35,000	0	0	0	35,000
Operating Lease Rentals	217,300	0	0	0	217,300
Energy	1,373,387	0	-50,000	-75,160	1,248,227
Materials & Contractors	11,759,215	-87,335	190,686	-298,223	11,564,343
Depreciation, Amortisation & Impairment	11,500,000	0	0	0	11,500,000
Elected Members Expenses	361,287	0	0	0	361,287
Legal Expenses	220,000	25,000	35,200	101,056	381,256
Water Charges	1,388,759	0	0	219,960	1,608,719
Telephone & Other Communication Charges	226,000	0	0	0	226,000
Community Grants	100,000	30,000	0	0	130,000
Other Expenses	2,543,933	-38,921	388,000	-296,125	2,596,887
Borrowing Costs	92,200	0	0	0	92,200
Total Operating Expenses	39,961,142	176,344	533,886	-294,676	40,376,696
Net OPERATING SURPLUS / (DEFICIT)	-7,427,613	-728,815	-35,000	635,702	-7,555,726
Capital Income					
Net gain (loss) on disposal or revaluation of assets	0	60,600	0	119,306	179,906
Developer Contributions	400,000	0	300,000	150,000	850,000
Asset Income	10,000,000	0	0	0	10,000,000
Grants received	328,410	0	-65,000	0	263,410
Total Capital Income	10,728,410	60,600	235,000	269,306	11,293,316
Net SURPLUS / (DEFICIT) transferred to Equity Statement	3,300,797	-668,215	200,000	905,008	3,737,590
Capital Expenses					
Land Purchase	0	0	0	0	0
Asset Purchase	-1,145,000	-698,235	96,832	-216,000	-1,962,403
Asset Upgrade	-4,875,638	-2,159,648	593,168	-230,008	-6,672,126
Total Capital Expenses	-6,020,638	-2,857,883	690,000	-446,008	-6,634,529
Less Non Cash Expenditure	-11,500,000	0	0	0	-11,500,000
Plus Gifted Assets	10,000,000	0	0	0	10,000,000
Net CAPITAL SURPLUS / (DEFICIT)	-1,219,841	-3,526,098	890,000	459,000	-3,396,940
Borrowings	2,000,000	0	0	0	2,000,000
Repayment of Borrowings	-208,814	0	0	0	-208,814
Reserve Movement	-571,345	3,526,098	-890,000	-459,000	1,605,753
NET OPERATING SURPLUS / (DEFICIT)	0	0	0	0	0

STATEMENT OF RESERVES - per Municipal Plan 2018/2019

OTHER RESERVES	Opening Balance \$ 01/07/2018	Transfers to Reserves \$	Transfers from Reserves \$	Balance at the EOY 2019 \$
Election Expenses Reserve	-	100,000	-	100,000
Disaster Recovery Reserve	-	-	-	-
Strategic Initiatives Reserve	160,000	-	(100,000)	60,000
Unexpended Grants Reserve	-	-	-	-
Unexpended Capital Works Reserve	-	-	-	-
Property Reserve	922,104	-	-	922,104
Plant & Equipment Reserve	271,632	-	-	271,632
Infrastructure Reserve	3,188,610	211,690	-	3,400,300
Developer Funds In Lieu Of Construction	4,919,920	100,000	-	5,019,920
Community Grants Reserve	100,000	-	(30,000)	70,000
Waste Management Reserve	18,446	289,655	-	308,101
Street Light Reserve	311,063	-	-	311,063
City Centre Improvement Reserve	127,211	-	-	127,211
Total Reserves	10,018,986	701,345	(130,000)	10,590,331

Reserve balances as at 01/07/2018 above do not include 2017/18 year-end adjustments

STATEMENT OF RESERVES - Budget Movements 2019

OTHER RESERVES	Opening Balance \$ 01/07/2018	Original Budget 2019 to Reserves \$	Original Budget 2019 from Reserves \$	1st Review 2019 to Reserves \$	1st Review 2019 from Reserves \$	2nd Review 2019 to Reserves \$	2nd Review 2019 from Reserves \$	3rd Review 2019 to Reserves \$	3rd Review 2019 from Reserves \$	Balance at the EOY 2019 \$
Election Expenses Reserve	150,000	100,000	-	-	-	-	-	-	-	250,000
Disaster Recovery Reserve	500,000	-	-	-	-	-	-	-	-	500,000
Strategic Initiatives Reserve	300,000	-	(100,000)	-	(190,000)	-	-	16,307	(26,307)	-
Unexpended Grants Reserve	1,776,402	-	-	-	(1,776,402)	500,000	-	614,000	-	1,114,000
Unexpended Capital Works Reserve	845,482	-	-	-	(845,482)	-	-	-	-	-
Property Reserve	922,104	-	-	-	-	-	-	-	-	922,104
Plant & Equipment Reserve	271,632	-	-	-	-	-	-	-	(40,000)	231,632
Infrastructure Reserve	5,552,686	211,690	-	-	(830,215)	140,000	-	300,000	(50,000)	5,324,161
Developer Funds In Lieu Of Construction	4,985,377	400,000	(300,000)	-	(90,000)	400,000	-	195,000	(550,000)	5,040,377
Community Grants Reserve	100,000	-	(30,000)	-	-	-	-	-	-	70,000
Waste Management Reserve	26,525	2,289,655	(2,000,000)	206,000	-	-	-	-	-	522,180
Street Light Reserve	311,063	-	-	-	-	-	(150,000)	-	-	161,063
City Centre Improvement Reserve	-	-	-	-	-	-	-	-	-	-
Total Reserves	15,741,270	3,001,345	(2,430,000)	206,000	(3,732,099)	1,040,000	(150,000)	1,125,307	(666,307)	14,135,516

Reserve balances as at 01/07/2018 include 2017/18 year-end adjustments

14 INFORMATION AND CORRESPONDENCE

15 REPORT OF DELEGATES

16 QUESTIONS BY MEMBERS

17 GENERAL BUSINESS

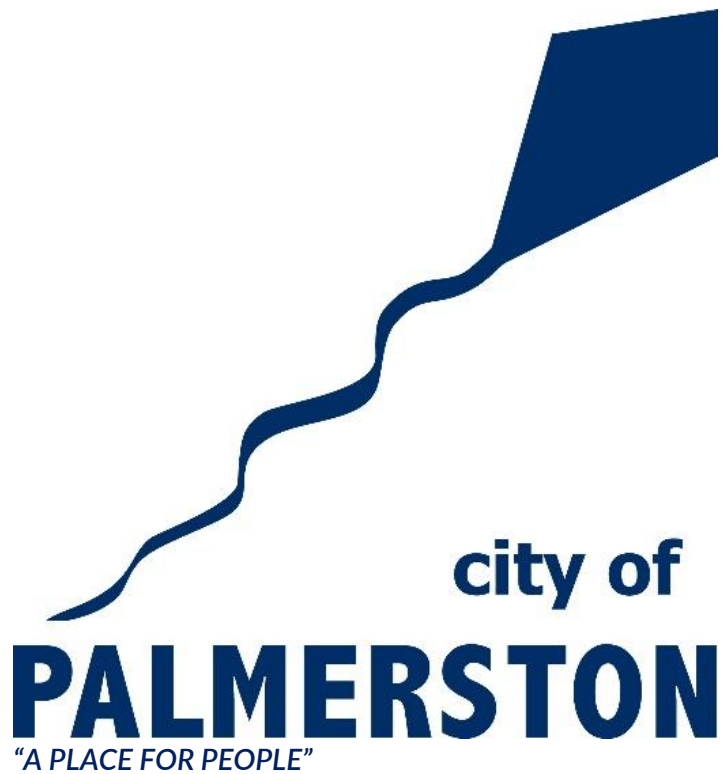
18 NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday 4 June 2019 at 5.30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

19 CLOSURE OF MEETING TO 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 item of the Agenda.

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON



**COUNCIL MEETING
MINUTES
TUESDAY, 7 May 2019**

CITY OF PALMERSTON

**Minutes of Council Meeting
held in Council Chambers
Civic Plaza, Palmerston
on Tuesday 7 May 2019 at 5:30pm.**

ELECTED MEMBERS

Mayor Athina Pascoe-Bell
Deputy Mayor Sarah Henderson
Alderman Lucy Buhr
Alderman Amber Garden
Alderman Benjamin Giesecke
Alderman Damian Hale
Alderman Tom Lewis
Alderman Mick Spick

STAFF

Chief Executive Officer, Luccio Cercarelli
Director Governance and Regulatory Services, Chris Kelly
Acting Director Lifestyle and Community, Amelia Vellar
Executive Manager Finance, Shane Nankivell
Acting Executive Manager Organisational Services, Richard Iap
Manager Growth and Sustainability, Rebecca de Vries
Communications Officer, Samantha Abdic
Minute Secretary, Alexandra Briley

GALLERY

Will Zwar, NT News
Lily Greer, Nine News

1 ACKNOWLEDGEMENT OF COUNTRY

I respectfully acknowledge the traditional owners of the land on which we are meeting – the Larrakia People – and pay my respects to their elders, past, present and future.

2 OPENING OF MEETING

The Mayor declared the meeting open at 5:30pm.

Initials: _____

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Nil.

3.2 Leave of Absence Previously Granted

Nil.

3.3 Leave of Absence Request

Moved: Alderman Giesecke

Seconded: Alderman Garden

THAT the leave of absence received from Alderman Giesecke for 23 May 2019 to 28 May 2019 inclusive be received and noted.

CARRIED 9/0597 – 07/05/2019

4 REQUEST FOR TELECONFERENCING

Nil.

5 DECLARATION OF INTEREST

5.1 Elected Members

Nil.

5.2 Staff

Nil.

Initials: _____

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Alderman Buhr
Seconded: Alderman Lewis

THAT the minutes of the Council Meeting held on Tuesday, 16 April 2019 pages 9728 to 9737, be confirmed.

CARRIED 9/0598 – 07/05/2019

6.2 Business Arising from Previous Meeting

Nil.

7 MAYORAL REPORT

7.1 Mayoral Update Report - April 2019

M9/010

Moved: Mayor Pascoe-Bell
Seconded: Deputy Mayor Henderson

THAT Report Number M9/010 entitled Mayoral Update Report – April 2019 be received and noted.

CARRIED 9/0599 – 07/05/2019

8 DEPUTATIONS AND PRESENTATIONS

Nil.

9 PUBLIC QUESTIONS (WRITTEN SUBMISSIONS)

Nil.

Initials: _____

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

10.1.1 City Centre Parking Strategy and Implementation Plan C9/0197

1. THAT Report Number C9/0197 entitled City Centre Parking Strategy and Implementation Plan be received and noted.
2. THAT Council endorse the following draft documents with minor changes relating to branding, formatting and administrative amendments for Level 2 public consultation as described in Report Number C9/0197 entitled City Centre Parking Strategy and Implementation Plan:
 - a. Palmerston City Centre Parking Study: Background Report, March 2019 (**Attachment A**)
 - b. Palmerston City Centre Parking Study: Parking Strategy, March 2019 (**Attachment B**)
 - c. Palmerston City Centre Parking Study: Implementation Plan, March 2019 (**Attachment C**).
3. THAT a report be prepared with the outcomes and findings from the public consultation of the City Centre Parking Strategy and Implementation Plan and include the final City Centre Parking Study documents for Council adoption.
4. THAT Council receive and note the tabled updated Attachment G to Report Number C9/0197 entitled City Centre Parking Strategy and Implementation Plan.
5. THAT the Council decisions of Report Number C9/0197 entitled City Centre Parking Strategy and Implementation Plan be moved to Open on Council's formal announcement of the commencement of the public consultation on the City Centre Parking Study documents.

CARRIED 9/0550 – 19/03/2019

10.2 Moving Open Items into Confidential

Nil.

Initials: _____

10.3 Confidential Items

Moved: Alderman Spick
Seconded: Alderman Garden

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:

ITEM	REGULATION	REASON
25.2.1	8(c)(iv)	This item is considered 'Confidential' pursuant to Section 65(2) of the Local Government Act and 8(c)(iv) of the Local Government (Administration) Regulations, which states municipal council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person is discussed.
25.2.2	8(c)(iv)	This item is considered 'Confidential' pursuant to Section 65(2) of the Local Government Act and 8(c)(iv) of the Local Government (Administration) Regulations, which states municipal council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person is discussed.

CARRIED 9/0600 – 07/05/2019

11 PETITIONS

Nil.

Initials: _____

12 NOTICES OF MOTION

12.1 Electronic Rate Reminders

Moved: Alderman Spick
Seconded: Alderman Garden

THAT a report be prepared on options and implementation of a system whereby ratepayers could nominate their preferred communication method to allow for electronic notifications (SMS/emails) of the next and/or outstanding rates instalment, including the amount, date and time due, and to have the ability for an additional reminder to be sent for overdue payments, to be presented at the Second Ordinary Council Meeting in June 2019.

CARRIED 9/0601 – 07/05/2019

13 OFFICERS REPORTS

13.1 Receive and Note Reports

13.1.1 Governance and Regulatory Services Quarterly Report January –
March 2019 9/0211

Moved: Deputy Mayor Henderson
Seconded: Alderman Garden

THAT Report Number 9/0211 entitled Governance and Regulatory Services Quarterly Report January – March 2019 be received and noted.

CARRIED 9/0602 – 07/05/2019

13.1.2 Lifestyle and Community Quarterly Report January – March 2019 9/0216

Moved: Alderman Buhr
Seconded: Alderman Garden

THAT Report Number 9/0216 entitled Lifestyle and Community Quarterly Report January – March 2019 be received and noted.

CARRIED 9/0603 – 07/05/2019

Initials: _____

13.1.3 Palmerston Safe Communities Committee Meeting Minutes
4 April 2019

9/0217

Moved: Alderman Buhr
Seconded: Alderman Hale

THAT Report Number 9/0217 entitled Palmerston Safe Communities Committee Meeting Minutes 4 April 2019 be received and noted.

CARRIED 9/0604 – 07/05/2019

13.2 Action Reports

13.2.1 Review of Council Policy AD04 *Lease of Council Property*

9/0198

Moved: Mayor Pascoe-Bell
Seconded: Alderman Buhr

1. THAT Report Number 9/0198 entitled Review of Council Policy AD04 *Lease of Council Property* be received and noted.
2. THAT Council endorse Draft Council Policy AD04 *Lease of Council Property* at **Attachment B** to Report Number 9/0198 entitled Review of Council Policy AD04 *Lease of Council Property* as amended to remove clause 4.2.2, for the purposes of 21 days public consultation.
3. THAT a further report with the outcomes of the public consultation be presented to an Ordinary Council Meeting by the end of June 2019.

CARRIED 9/0605 – 07/05/2019

13.2.2 Review of Council Policy TECH04 *Waste Management Policy*

9/0218

Moved: Alderman Buhr
Seconded: Alderman Garden

1. THAT Report Number 9/0218 entitled Review of Council Policy TECH04 *Waste Management* be received and noted.
2. THAT Council rescind Council Policy TECH04 *Waste Management* being **Attachment A** to Report Number 9/0218 entitled Review of Council Policy TECH04 *Waste Management*.

CARRIED 9/0606 – 07/05/2019

Initials: _____

13.2.3 Request for Laneway Closure - Politis Court and Strawbridge Crescent 9/0219

Moved: Deputy Mayor Henderson
Seconded: Alderman Giesecke

1. THAT Report Number 9/0219 entitled Request for Laneway Closure - Politis Court and Strawbridge Crescent be received and noted.
2. THAT Council advise the petition author that it will continue with the night-time closure trial for the laneway between Politis Court and Strawbridge Crescent to support an evidence based assessment.

CARRIED 9/0607 - 07/05/2019

13.2.4 Dual Naming of Geographical Features and Places in Aboriginal Language 9/0220

Moved: Alderman Spick
Seconded: Alderman Garden

1. THAT Report Number 9/0220 entitled Dual Naming of Geographical Features and Places in Aboriginal Language be received and noted.
2. THAT Council supports the Place Names Committee proposal for the dual naming of geographical features and places within the Northern Territory including Marlow Lagoon, Palmerston.

CARRIED 9/0608 - 07/05/2019

13.2.5 Adoption of the City Centre Parking Study documents 9/0227

Moved: Alderman Buhr
Seconded: Alderman Hale

1. THAT Report Number 9/0227 entitled Adoption of the City Centre Parking Strategy and Implementation Plan be received and noted.

Initials: _____

13.2.5 Adoption of the City Centre Parking Study documents (continued) 9/0227

2. THAT Council adopt:

- a. Palmerston City Centre Parking Study: Background Report, April 2019 at **Attachment A**;
- b. Palmerston City Centre Parking Study: Parking Strategy, April 2019 at **Attachment B**; and
- c. Palmerston City Centre Parking Study: Implementation Plan, April 2019 at **Attachment C**;

to Report Number 9/0227 entitled Adoption of the City Centre Parking Strategy and Implementation Plan.

- 3. THAT Council note the creation of a new 12 month limited tenure part-time Ranger position to supplement resourcing for parking regulation.

CARRIED 9/0609 – 07/05/2019

14

INFORMATION AND CORRESPONDENCE

14.1 Information

Nil.

14.2 Correspondence

Nil.

15

REPORT OF DELEGATES

Nil.

16

QUESTIONS BY MEMBERS

Nil.

17

GENERAL BUSINESS

Nil.

Initials: _____

18 NEXT COUNCIL MEETING

Moved: Alderman Buhr
Seconded: Alderman Giesecke

THAT the next Ordinary Meeting of Council be held on Tuesday, 21 May 2019 at 5:30pm in the Council Chambers, First Floor, Civic Plaza, 1 Chung Wah Terrace Palmerston.

CARRIED 9/0610 - 07/05/2019

19 CLOSURE OF MEETING TO PUBLIC

Moved: Alderman Spick
Seconded: Alderman Giesecke

THAT pursuant to Section 65(2) of the *Local Government Act* and Regulation 9 of the *Local Government (Administration) Regulations* the meeting be closed to the public to consider the Confidential Items of the Agenda.

CARRIED 9/0611 - 07/05/2019

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Moved: Alderman Lewis
Seconded: Alderman Spick

THAT the meeting be adjourned for 10 minutes for media liaison.

CARRIED 9/0612 - 07/05/2019

The meeting adjourned at 6:22pm.



Athina Pascoe-Bell
MAYOR

Date:
