

CITY OF PALMERSTON

**Minutes of Council Meeting
held in Council Chambers, Civic Plaza, Palmerston
on Tuesday, 12 January 2016 at 6.30pm**

Audio Disclaimer

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1. PRESENT

Elected Members: Deputy Mayor Sue McKinnon (Chair)
Alderman Andrew Byrne
Alderman Paul Bunker
Alderman Geoff Carter
Alderman Seranna Shutt
Alderman Athina Pascoe-Bell

Staff: Ricki Bruhn, Chief Executive Officer
Jan Peters, Acting Director of Community Services
Silke Reinhardt, Acting Director of Corporate Services
Jeetendra Dahal, Acting Director of Technical Services
Emily Fanning, Minute Secretary

Gallery: Gerard Rosse, Manager Planning and Environment Services
Maxine Dowley, Community Event Coordinator
Linda Masters, Community Events Officer
Bijay Bhushal, Technical Officer
Dani McDonald, NT News Journalist

2. APOLOGIES

Mayor Abbott – Leave of absence

ACCEPTANCE OF APOLOGIES AND LEAVE OF ABSENCE

Moved: Alderman Shutt
Seconded: Alderman Carter

THAT the leave of absence received from Mayor Abbott be received and granted.

CARRIED 8/1781–12/01/2016

3. CONFIRMATION OF MINUTES

Moved: Alderman Shutt
Seconded: Alderman Pascoe-Bell

1. THAT the minutes of the Council Meeting held Tuesday, 8 December 2015 pages 8347 to 8388, be confirmed.
2. THAT the Confidential minutes of the Council Meeting held Tuesday, 8 December 2015 pages 199 to 202, be confirmed.

CARRIED 8/1782–12/01/2016

4. MAYOR'S REPORT

Nil

5. REPORT OF DELEGATES

Nil

6. QUESTIONS (WITHOUT DEBATE) FOR WHICH NOTICE HAS BEEN GIVEN

Nil

7. QUESTIONS (WITHOUT DEBATE) FOR WHICH NOTICE HAS NOT BEEN GIVEN

Nil

8. PETITIONS

Nil

9. DEPUTATIONS / PRESENTATIONS

Nil

10. CONSIDERATION OF MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

Nil

11. COMMITTEE RECOMMENDATIONS

11.1 Governance and Organisation

Nil

11.2 Economic Development and Infrastructure

Nil

11.3 Community, Culture and Environment

Nil

11.4 CEO Performance Appraisal Committee

Moved: Alderman Carter
Seconded: Alderman Bunker

1. THAT the minutes from the CEO Performance Appraisal Committee meeting held on 2 October 2015, be received.
2. THAT the minutes from the CEO Performance Appraisal Committee meeting held on 6 January 2016, be received.
3. THAT the Confidential minutes from the CEO Performance Appraisal Committee meeting held on 6 January 2016, be received.

CARRIED 8/1783–12/01/2016

12. INFORMATION AGENDA

12.1 Items for Exclusion

Nil

12.2 Receipt of Information Reports

Moved: Alderman Shutt
Seconded: Alderman Pascoe-Bell

THAT the information items contained within the Information Agenda be received.

CARRIED 8/1784–12/01/2016

The Chair invited the Chief Executive Officer, Acting Director of Technical Services, Acting Director of Corporate Services and Acting Director of Community Services to provide a verbal update on the outstanding matters contained within the Action Report.

Officers provided a verbal report to the meeting and answered questions from the Elected Members.

13. DEBATE AGENDA

13.1 Officer Reports

13.1.1 Proposal – Darwin Festival Event in Palmerston

8/0795

Moved: Alderman Carter
Seconded: Alderman Shutt

1. THAT Council receives Report Number 8/0795.

CARRIED 8/1785–12/01/2016

MEETING PROCEDURES

Suspension of Standing Orders

Moved: Alderman Byrne
Seconded: Alderman Carter

THAT Standing Orders be suspended for approximately 20 minutes to allow for open discussion.

CARRIED 8/1786–12/01/2016

Standing Orders were suspended at 6.50pm.

Reinstatement of Standing Orders

Moved: Alderman Carter
Seconded: Alderman Byrne

THAT Standing Orders be reinstated.

CARRIED 8/1787–12/01/2016

Standing Orders were reinstated at 7.01pm.

13.1.1 Proposal – Darwin Festival Event in Palmerston (continued) 8/0795

Moved: Alderman Carter
Seconded: Alderman Shutt

2. THAT Council host the Polarbear and St Martin's Youth events in Palmerston as part of the 2016 Darwin Festival.

CARRIED 8/1788–12/01/2016

13.1.2 Freedom and Exercising Freedom of the City of Palmerston 8/0796

Moved: Alderman Bunker
Seconded: Alderman Byrne

1. THAT Council receives Report Number 8/0796.
2. THAT Council approve the Granting of Freedom Entry to the 8th/12th Regiment Royal Australian Artillery and the Exercising Freedom of Entry on Saturday 16 April 2016.

CARRIED 8/1789–12/01/2016

**13.1.3 Local Government Association of the Northern Territory -
Nomination to the Animal Welfare Advisory Committee 8/0798**

Moved: Alderman Bunker

Seconded: Alderman Byrne

1. THAT Council receives Report Number 8/0798.
2. THAT Council nominate Alderman Geoff Carter as a member to the Animal Welfare Advisory Committee.

CARRIED 8/1790–12/01/2016

**13.1.4 Sign and Seal – Consent to Drainage Easement on Lots 12445 and
12446 (5 and 7) George Street, Johnston 8/0799**

Moved: Alderman Pascoe-Bell

Seconded: Alderman Bunker

1. THAT Council receives Report Number 8/0799.
2. THAT Council delegate authority to the Mayor and Chief Executive Officer to sign and seal the relevant survey documents to enable the creation of the new title and re-establishment of the Council Drainage Easement at 5 and 7 George Street Johnston.

CARRIED 8/1791–12/01/2016

**13.1.5 Liquor Licence Application (Liquor Merchant) on Lot 5694 (1)
Mannikan Court, Bakewell (Bakewell Woolworths development site)
8/0800**

Moved: Alderman Bunker

Seconded: Alderman Shutt

1. THAT Council receives Report Number 8/0800.

CARRIED 8/1792–12/01/2016

Moved: Alderman Shutt

Seconded:

2. THAT the attachment to Report Number 8/0800 be endorsed.

Motion lapsed for the want of a seconder

13.1.5 Liquor Licence Application (Liquor Merchant) on Lot 5694 (1) Mannikan Court, Bakewell (Bakewell Woolworths development site)
(continued) **8/0800**

Moved: Alderman Byrne
Seconded: Alderman Carter

3. THAT Council supports the granting of the proposed Liquor Licence Application (Liquor Merchant) on Lot 5694 (1) Mannikan Court, Bakewell (Bakewell Woolworths development site).

3 VOTES FOR / 3 VOTES AGAINST

The Chair exercised her casting vote and declared the MOTION LOST

Moved: Alderman Pascoe-Bell
Seconded: Alderman Shutt

4. THAT Council objects on the following grounds to the granting of a Liquor Licence on Lot 5694 (1) Mannikan Court, Bakewell (Bakewell Woolworths development site):
 - The report and application material fails to address and acknowledge the existing approved liquor outlet within the main trade area (Lot 11020 (164) Forrest Parade, Rosebery) and therefore the argument of 'need' is not adequate.
 - Council is of the opinion that an oversupply of takeaway liquor outlets in the suburban areas of Palmerston has the potential to negatively impact the social conditions in the existing Palmerston community by way of excessive availability and consumption of liquor.

3 VOTES FOR / 3 VOTES AGAINST

The Chair exercised her casting vote and declared the motion **CARRIED 8/1793–12/01/2016**

13.1.6 Liquor Licence Application (Tavern) on Lots 11037, 7765 and 7766 (11, 5 and 15) Yarrowonga Road, Yarrowonga (Gateway Shopping Centre)
8/0801

Moved: Alderman Bunker
Seconded: Alderman Carter

1. THAT Council receives Report Number 8/0801.

CARRIED 8/1794–12/01/2016

13.1.6 Liquor Licence Application (Tavern) on Lots 11037, 7765 and 7766 (11, 5 and 15) Yarrawonga Road, Yarrawonga (Gateway Shopping Centre) (continued) 8/0801

Moved: Alderman Bunker
Seconded: Alderman Byrne

2. THAT Council support the granting of a liquor licence (Tavern) on Lots 11037, 7765 and 7766 (11, 5 and 15) Yarrawonga Road, Yarrawonga (Gateway Shopping Centre).

CARRIED 8/1795–12/01/2016

13.1.7 Conversion of Crown Leases in Perpetuity (CLP) 1502 and 1503 to Freehold Title on Lots 4173 and 4502, Fiveash Lane, Palmerston City 8/0802

Moved: Alderman Bunker
Seconded: Alderman Byrne

1. THAT Council receives Report Number 8/0802.
2. THAT Council delegate authority to the Mayor and Chief Executive Officer to sign and seal the relevant "Variation to Crown Lease Forms" relating to Crown Leases in Perpetuity (CLP) 1502 and 1503 on Lots 4173 and 4502, Fiveash Lane, Palmerston City.

CARRIED 8/1796–12/01/2016

13.1.8 Clean Up Australia Day 2016 8/0807

Moved: Alderman Shutt
Seconded: Alderman Pascoe-Bell

1. THAT Council receives Report Number 8/0807.

CARRIED 8/1797–12/01/2016

Moved: Alderman Carter
Seconded: Alderman Shutt

2. THAT Council agrees to participate in Clean Up Australia Day 2016.
3. THAT Council endorses Marlow Lagoon Recreation Area as the site for Clean Up Australia Day 2016.

CARRIED 8/1798–12/01/2016

13.1.9 Financial Report for the month of December 2015 8/0808

Moved: Alderman Byrne
Seconded: Alderman Pascoe-Bell

THAT Council receives Report Number 8/0808.

CARRIED 8/1799–12/01/2016

13.1.10 Electronic Delivery of Rates Notices 8/0809

Moved: Alderman Bunker
Seconded: Alderman Shutt

1. THAT Council receives Report Number 8/0809.

CARRIED 8/1800–12/01/2016

Moved: Alderman Carter
Seconded: Alderman Shutt

2. THAT Council adopt BPay View as an electronic delivery option for Rates Notices.

CARRIED 8/1801–12/01/2016

14. CORRESPONDENCE

Nil

15. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

16. PUBLIC QUESTION TIME

At the invitation of the Chair

Nil

17. OTHER BUSINESS - ALDERMAN REPORTS

17.1 Alderman Carter – Tree Lighting Ceremony

Discussed possible staging and sound system for future ceremonies, the quality of the performers, and timing of the lighting.

17.2 Social Infrastructure Plan

The Chair invited the Manager Planning and Environment Services to provide an update on the Community Infrastructure Plan.

17.3 Alderman Byrne

Moved: Alderman Byrne
Seconded: Alderman Bunker

THAT Council be provided with a report on the ability to rescind rates concessions at the Gateway site should a gaming licence be approved.

CARRIED 8/1802–12/01/2016

18. CONFIDENTIAL REPORTS

Moved: Alderman Carter
Seconded: Alderman Shutt

18.1 Application – Rates Concession for Assessment 103488 8/0804

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Acting Director of Technical Services, Acting Director of Corporate Services, Acting Director of Community Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report and associated documents in relation to confidential agenda item 18.1 Application – Rates Concession for Assessment 103488 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

- (b) information about the personal circumstances of a resident or ratepayer;

This item is considered confidential pursuant to Regulation 8 (b) of the Local Government (Administration) Regulations.

2. THAT Council orders that the minutes from the Confidential Council meeting held on 12 January 2016, in relation to confidential item number 18.1 Application – Rates Concession for Assessment 103488 and the report and associated documentation remain confidential and not available for public inspection for a period of 12 months from the date of this meeting or a lesser period as determined by the Chief Executive Officer.

18.2 Committee Recommendation – CEO Remuneration and CEO Performance Report CPA/0030

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the Committee recommendation in relation to confidential agenda item 18.2 CEO Remuneration and CEO Performance Report and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

- (a) information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual;

This item is considered confidential pursuant to Regulation 8 (a) of the Local Government (Administration) Regulations.

2. THAT Council orders that the minutes from the Confidential Council meeting held on 12 January 2016, in relation to confidential item number 18.2 CEO Remuneration and CEO Performance Report and associated documentation remain confidential and not available for public inspection.

CARRIED 8/1803–12/01/2016

The meeting moved into the confidential session at 8:18pm.

18.3 Moving Decisions from the Confidential Session into the Open Session

In accordance with the resolutions of Council, the following decisions from the Confidential Session are moved into the Open Session:

Application – Rates Concession for Assessment 103488

8/0804

1. THAT Council receives Report Number 8/0804.
2. THAT Council approves the remission of interest for the period 23 November 2015 to 30 June 2016 for assessment 103488 under the conditions of financial hardship policy FIN17.
3. THAT Council write to Somerville to advise that the request to waive instalments one and two was declined, however it is willing to approve the remission of interest for the period 23 November 2015 to 30 June 2016 for assessment 103488 under the conditions of financial hardship policy FIN17.
4. THAT the Resolutions only come back into the Open Session.

19. CLOSURE

Meeting closed at 8.32pm

(Chair)