CITY OF PALMERSTON

Minutes of Council Meeting
held in Council Chambers
Civic Plaza, 1 Chung Wah Terrace, Palmerston
on Tuesday 4 June 2019 at 5:32pm.

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 City Growth and Operations, Kathy Jarrett
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
Communications Officer, Brigitte Brown
Minute Secretary, Alexandra Briley

GALLERY
Hugh King, Department of Local Government, Housing and Community Development
Solomon Gaturu, Department of Local Government, Housing and Community Development
Kaliopi Hourdas, Ward Keller
Leon Loganathan, Ward Keller
Mitchell Abram, ABC

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 5:32pm.
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 Lewis
Seconded: Alderman Hale

1. THAT the leave of absence received from Alderman Hale for 13 June 2019 to 16 June 2019 inclusive be received and noted.

2. THAT the leave of absence received from Alderman Lewis for 30 June 2019 to 21 July 2019 inclusive be received and noted.

CARRIED 9/0641 – 04/06/2019

4 REQUEST FOR TELECONFERENCEING

Moved: Mayor Pascoe-Bell
Seconded: Alderman Spick

THAT the request for teleconferencing received from Mayor Pascoe-Bell for the meeting to be held on 18 June 2019 be received and noted.

CARRIED 9/0642 – 04/06/2019
5 DECLARATION OF INTEREST

5.1 Elected Members

Moved: Alderman Giesecke
Seconded: Alderman Spick

THAT the Declaration of Interest received from Alderman Giesecke for Item 25.2.3 be received and noted.

CARRIED 9/0643 – 04/06/2019

5.2 Staff

Nil.

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Deputy Mayor Henderson
Seconded: Alderman Garden

THAT the minutes of the Council Meeting held on Tuesday, 21 May 2019 pages 9756 to 9767, be confirmed.

CARRIED 9/0644 – 04/06/2019

6.2 Business Arising from Previous Meeting

Nil.

7 MAYORAL REPORT

7.1 Mayoral Update Report - May 2019

Moved: Mayor Pascoe-Bell
Seconded: Deputy Mayor Henderson

THAT Report Number M9/011 entitled Mayoral Update Report – May 2019 be received and noted.

CARRIED 9/0645 – 04/06/2019
8 DEPUTATIONS AND PRESENTATIONS

8.1 Draft Local Government Bill

Moved: Deputy Mayor Henderson
Seconded: Alderman Giesecke

THAT the presentation on the Draft Local Government Bill by Hugh King, Manager Legislation and Policy Projects and Solomon Gaturu, Manager Legislation and Policy of Department of Local Government, Housing and Community Development be received and noted.

CARRIED 9/0646 – 04/06/2019

9 PUBLIC QUESTIONS (WRITTEN SUBMISSIONS)

Nil.

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

28.1 Rating Methodology

Moved: Alderman Giesecke
Seconded: Alderman Garden

THAT the question asked by Alderman Giesecke regarding Rating Methodology, and the response provided by the Executive Manager Finance be received and noted.

CARRIED 9/0673 – 04/06/2019

23.1 Darwin Rehabilitation Precinct & Stuart Highway at Pinelands and Holtze

1. THAT Council approves the presentation on Darwin Rehabilitation Precinct & Stuart Highway at Pinelands and Holtze by Northern Territory Government representatives being held at the 2nd Ordinary Meeting of Council on 16 October 2018, at the request of Council.

2. THAT Council approves three speakers to undertake the presentation on Darwin Rehabilitation Precinct & Stuart Highway at Pinelands and Holtze in accordance with the Palmerston (Procedures for Meetings) By-Laws.

CARRIED 9/0324 – 16/10/2018
23.2 Darwin Rehabilitation Precinct & Stuart Highway at Pinelands and Holtze (continued)

THAT the confidential presentation by Andrew Kirkman, Chief Executive Officer, Department of Infrastructure, Planning, and Logistics, John Harrison, General Manager of Infrastructure Delivery and Brent Warren, General Manager, Youth Justice for Territory Families and be received and noted.

CARRIED 9/0325 – 16/10/2018

29.1 Special Confidential Meeting of Council

THAT in accordance with provisions of Section 58 and 59 of the Local Government Act, a Special Confidential Meeting of the City of Palmerston be held at the City of Palmerston Council Chambers, Civic Plaza on Tuesday, 13 November 2018 at 5.30pm for a Confidential Presentation by Northern Territory Government Briefing – Youth Justice Facility Rezoning Application and Development.

CARRIED 9/0359 – 06/11/2018

23.1 Northern Territory Planning Commission

1. THAT the Confidential presentation by Dr David Ritchie, NT Planning Commission Chair of the Northern Territory Planning Commission be received and noted.

2. THAT a report be prepared outlining possible stages and other considerations for the development of a Central Palmerston Area Plan by the NT Planning Commission to the ordinary Council meeting on 29 January 2019.

CARRIED 9/0417 – 11/12/2018

25.2.1 Request to Purchase Lot 9542, Yarrawonga C9/0137

1. THAT Report Number 9/0137 entitled Request to Purchase Lot 9542, Yarrawonga be received and noted.

2. THAT Council resolve not to sell Lot 9542 at 56 Georgina Crescent, Yarrawonga.

CARRIED 9/0419 – 11/12/2018
25.2.2 Provision of Managed Information and Communication Technology Services  

1. THAT Report Number C9/0145 entitled Provision of Managed Information Technology and Communication Services be received and noted.

2. THAT Council approves the establishment of a two-year limited tenure full-time equivalent Information Technology Specialist within the current Information Technology program budget.

CARRIED 9/0420 – 11/12/2018

21.1 Coordination of the National Redress Scheme NT Jurisdiction

1. THAT the presentation entitled Coordination of the National Redress Scheme NT Jurisdiction received from the NT Redress Coordination Team be received and noted.

2. THAT a report be prepared on Council’s potential involvement on the National Redress Scheme by the Second Ordinary Council Meeting in April 2019.

CARRIED 9/0444 – 29/01/2019

23.2.2 Domestic Kerbside Waste Collection Tender Evaluation  C9/0158

1. THAT Report Number C9/0158 entitled Domestic Kerbside Waste Collection Tender Evaluation be received and noted.

CARRIED 9/0446 – 29/01/2019

2. THAT Council approve a minor amendment to the alternate service level for Multiple Dwelling (MD) rated properties to be four (4) collections per week, in line with and to maintain the existing service level, and the original intent.

CARRIED 9/0447 – 29/01/2019

3. THAT Council approve Cleanaway as the preferred tenderer for the Domestic Kerbside Waste Collection Contract for the delivery of either: the existing service level; or the alternate service level; as they provided best value for money.

CARRIED 9/0448 – 29/01/2019
4. THAT Council undertake community consultation to determine the community’s preferred service level, identifying a difference in cost of $15, at a reduced consultation cost to that identified within Report Number C9/0158 entitled Domestic Kerbside Waste Collection Tender Evaluation.

CARRIED 9/0449 – 29/01/2019

5. THAT following the completion of the tender process, Council writes to the Department of Housing and Community Development confirming the total value of the eight year contract, the name and ABN of the successful contractor and the start and completion dates of the contract.

CARRIED 9/0450 – 29/01/2019

23.2.3 Central Palmerston Area Plan C9/0088

1. THAT Report Number C9/0088 entitled Central Palmerston Area Plan be received and noted.

2. THAT Council advise the Northern Territory Planning Commission that it considers that the development of the Central Palmerston Area should recommence with Stage 1, Consultation being undertaken given the time that has elapsed since it first commenced.

CARRIED 9/0451 – 29/01/2019

25.2.1 Award of Domestic Kerbside Waste Collection Contract TS2018/11 C9/0179

1. THAT Report Number C9/0179 entitled Award of Domestic Kerbside Waste Collection Contract TS2018/11 be received and noted.

2. THAT Council award the Domestic Kerbside Waste Collection Contract TS2018/11 to Cleanaway in accordance with the schedule of rates to an estimated value of $1,917,992 per annum for a period of eight (8) years.

3. THAT the recommendations of this report be moved into Open following the notification of the successful tenderer.

CARRIED 9/0522 – 05/03/2019
25.2.2 Joy Anderson Centre Lease  

1. THAT Report Number C9/0201 entitled Joy Anderson Centre Lease be received and noted.

2. THAT Council provide written notice to Territory Housing that the City of Palmerston is exiting the lease agreement.

3. THAT Council Decisions relating to Report Number C9/0201 entitled Joy Anderson Centre Lease be moved to the Open Minutes following Council’s formal notification to Territory Housing.

CARRIED 9/0572 - 02/04/2019

10.2 Moving Open Items into Confidential

Nil.

10.3 Confidential Items

Moved: Alderman Buhr
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:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>REGULATION</th>
<th>REASON</th>
</tr>
</thead>
<tbody>
<tr>
<td>25.2.1</td>
<td>8(b)</td>
<td>This item is considered ‘Confidential' pursuant to Section 65(2) of the Local Government Act and 8(b) 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 about the personal circumstances of a resident or ratepayer.</td>
</tr>
<tr>
<td>25.2.2</td>
<td>8(c)(ii)</td>
<td>This item is considered ‘Confidential' pursuant to Section 65(2) of the Local Government Act and 8(c)(ii) 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 maintenance or administration of the law.</td>
</tr>
</tbody>
</table>
## 8(c)(iv) Confidential Item

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.

## 25.2.3 8(b) Confidential Item

This item is considered 'Confidential' pursuant to Section 65(2) of the Local Government Act and 8(b) 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 about the personal circumstances of a resident or ratepayer.

## 25.2.4 8(c)(iv) Confidential Item

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.

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.

**CARRIED 9/0647 – 04/06/2019**

## 11 PETITIONS

Nil.

**Initials:**
NOTICES OF MOTION

12.1 Palmerston Temporary Pop Up Park Program

Moved: Alderman Giesecke
Seconded: Alderman Garden

THAT a report outlining the benefits to our community, options, feasibility, potential locations with a focus on the City Centre, partnerships and costs of a Palmerston Temporary Pop Up Park Program to enhance community well-being and liveability, be presented to Council by the 2nd Ordinary Council Meeting in September 2019.

CARRIED 9/0648 – 04/06/2019

OFFICERS REPORTS

13.1 Receive and Note Reports

13.1.1 2019 Community Satisfaction Survey 9/0230

Moved: Alderman Buhr
Seconded: Deputy Mayor Henderson

THAT Report Number 9/0230 entitled 2019 Community Satisfaction Survey be received and noted.

CARRIED 9/0649 – 04/06/2019

13.1.2 Palmerston Seniors Advisory Committee May 2019 Minutes 9/0238

Moved: Deputy Mayor Henderson
Seconded: Alderman Hale

THAT Report Number 9/0238 entitled Palmerston Seniors Advisory Committee May 2019 Minutes be received and noted.

CARRIED 9/0650 – 04/06/2019
13.1.3 Project – Making the Switch, Update June 2019

Moved: Deputy Mayor Henderson
Seconded: Alderman Garden

THAT Report Number 9/0244 entitled Project – Making the Switch, Update June 2019 be received and noted.

CARRIED 9/0651 – 04/06/2019

13.2 Action Reports

13.2.1 Palmerston Animal Management Advisory Committee Meeting – May 2019

Moved: Alderman Garden
Seconded: Deputy Mayor Henderson

1. THAT Report Number 9/0229 entitled Palmerston Animal Management Advisory Committee Meeting – May 2019 be received and noted.

2. THAT Council endorse the following recommendations from the Palmerston Animal Management Advisory Committee, namely:

   a. Council commence a recruitment campaign to fill vacancies on the Palmerston Animal Management Advisory Committee as detailed in Report Number PAMAC9/017 entitled Membership Drive.

   b. Council write to the Department of Local Government, Housing and Community Development seeking a representative to be a member of the Palmerston Animal Management Advisory Committee.

3. THAT Council approve the nomination of Ms Andrea Ruske as a new community member of the Palmerston Animal Management Advisory Committee as outlined at Attachment B to Report Number 9/0229 entitled Palmerston Animal Management Advisory Committee Meeting – May 2019 for a period of two years from 1 July 2019.

CARRIED 9/0652 – 04/06/2019
13.2.2 By-laws Review Schedule

Moved: Alderman Hale
Seconded: Alderman Garden

1. THAT Report Number 9/0240 entitled By-laws Review Schedule be received and noted.


CARRIED 9/0653 – 04/06/2019

13.2.3 Appointment of the Deputy Mayor – July to December 2019

Moved: Deputy Mayor Henderson
Seconded: Alderman Lewis

1. THAT Report Number 9/0241 entitled Appointment of the Deputy Mayor – July to December 2019 be received and noted.

2. THAT Council appoint Alderman Giesecke as Deputy Mayor for a period of five months in accordance with Council Policy EM01 Elected Members, commencing 21 July 2019 to 21 December 2019 (inclusive).

CARRIED 9/0654 – 04/06/2019

SUSPENSION OF STANDING ORDERS

Moved: Mayor Pascoe-Bell
Seconded: Alderman Garden

THAT Standing Orders be suspended for 15 minutes to allow for open discussion.

CARRIED 9/0655 – 04/06/2019

Standing Orders were suspended at 6:43pm.
REINSTATEMENT OF STANDING ORDERS

Moved: Alderman Lewis
Seconded: Alderman Garden

THAT Standing Orders be reinstated.

CARRIED 9/0656 – 04/06/2019

Standing Orders were reinstated at 6:55pm.

13.2.4 Appointment of Committee Representation 9/0246

Moved: Alderman Giesecke
Seconded: Alderman Spick

1. THAT Report Number 9/0246 entitled Appointments of Committee Representation be received and noted.

2. THAT Council notes all delegations to the Administrative Review Committee remain unchanged from 1 May 2018.

3. THAT Council make the following appointment to the Administrative Review Committee:

   i. THAT the Mayor, Alderman Giesecke and Alderman Spick, be appointed to the Administrative Review Committee for the period 1 July 2019 to 30 June 2020.

   ii. THAT the Mayor, be appointed as Chair of the Administrative Review Committee for the period 1 July 2019 to 30 June 2020.

   iii. THAT all other Elected Members be appointed as alternatives to the Administrative Review Committee for the period 1 July 2019 to 30 June 2020.

4. THAT Council amend its delegation to the Chief Executive Officer Performance Appraisal Committee to:

   THAT effective 5 June 2019 Council, pursuant to Section 32(2)(b) of the Local Government Act, hereby delegates to the Chief Executive Officer Performance Appraisal Committee, comprising of Mayor, Deputy Mayor, Alderman and independent facilitator, appointed by the Council the power to conduct and finalise the performance appraisal of the Chief Executive Officer and make recommendations to Council.

Initials:
5. THAT Council make the following appointment to the Chief Executive Officer Performance Appraisal Committee:

i. THAT Alderman Spick be appointed to the Chief Executive Officer Performance Appraisal Committee, for the period 1 July 2019 to 30 June 2020.

ii. THAT the Mayor be appointed as Chair of the Chief Executive Officer Performance Appraisal Committee for the period 1 July 2019 to 30 June 2020.

iii. THAT all other Elected Members be appointed as alternatives to the Chief Executive Officer Performance Appraisal Committee for the period 1 July 2019 to 30 June 2020.

6. THAT Council notes all delegations to the Risk Management and Audit Committee remain unchanged from 1 May 2018.

7. THAT Council make the following appointment to the Risk Management and Audit Committee:

i. THAT the Mayor, Alderman Garden and Alderman Henderson be appointed to the Risk Management and Audit Committee for the period 1 July 2019 to 30 June 2020.

ii. THAT Council note that the Chair of the Risk Management and Audit Committee is held by an Independent Member, appointed by the Council.

iii. THAT all other Elected Members be appointed as alternatives to the Risk Management and Audit Committee for the period 1 July 2019 to 30 June 2020.

8. THAT Council note the Mayor is Ex-Officio Member of all Council Advisory Committees for the term of the ninth Council.

9. THAT Council make the following appointments to the Advisory Committees, noting that the Advisory Committees have no delegated authority:

a. Palmerston Seniors Advisory Committee

i. THAT Alderman Henderson and Alderman Hale be appointed to the Palmerston Seniors Advisory Committee for the period 1 July 2019 to 30 June 2020.

ii. THAT Alderman Henderson, be appointed as Chair of the Palmerston Seniors Advisory Committee for the period 1 July 2019 to 30 June 2020.
iii. THAT Alderman Buhr be appointed as alternate to the Palmerston Seniors Advisory Committee for the period 1 July 2019 to 30 June 2020.

b. Palmerston Safe Communities Committee

i. THAT Alderman Hale and Alderman Buhr be appointed to the Palmerston Safe Communities Committee for the period 1 July 2019 to 30 June 2020.

ii. THAT Alderman Hale be appointed as Chair of the Palmerston Safe Communities Committee for the period 1 July 2019 to 30 June 2020.

iii. THAT Alderman Henderson be appointed as alternate to the Palmerston Safe Communities Committee for the period 1 July 2019 to 30 June 2020.

c. Palmerston Animal Management Advisory Committee

i. THAT Alderman Henderson and Alderman Garden be appointed to the Palmerston Animal Management Advisory Committee for the period 1 July 2019 to 30 June 2020.

ii. THAT Alderman Garden, be appointed as Chair of the Palmerston Animal Management Advisory Committee for the period 1 July 2019 to 30 June 2020.

iii. THAT Alderman Buhr be appointed as alternate to the Palmerston Animal Management Advisory Committee for the period 1 July 2019 to 30 June 2020.

10. THAT Council appoint or nominate to the following External Organisations and/or Committees:

a. Local Government Association of the Northern Territory (LGANT)

i. THAT Council appoint the Mayor as the delegated representative under clause 3 of the Local Government Association of the Northern Territory (LGANT) Constitution, to represent Council at meetings of the Association for the ninth Council term.

ii. THAT Council appoint Alderman Henderson and Alderman Buhr as its delegated representatives under clause 3 of the Local Government Association of the Northern Territory (LGANT) Constitution, to represent Council at meetings of the Association for the period 1 July 2019 to 30 June 2020.
b. Top End Regional Organisation of Council (TOPROC)

i. THAT Council appoint the Mayor as the delegated representative to the Top End Regional Organisation of Council (TOPROC) for the ninth Council term.

ii. THAT Council note the Deputy Mayor is appointed as Council’s alternate delegate to the Top End Regional Organisation of Council (TOPROC) for the ninth Council term.

c. Tourism Top End

THAT Alderman Henderson be appointed as Council’s delegate on Tourism Top End for the period 1 July 2019 to 30 June 2020.

d. Palmerston Regional Business Association (PRBA)

i. THAT Alderman Giesecke be appointed as Council’s delegate to the Palmerston Regional Business Association (PRBA) for the period 1 July 2019 to 30 June 2020.

ii. THAT all other Elected Members be appointed as alternatives to the Palmerston Regional Business Association (PRBA) for the period 1 July 2019 to 30 June 2020.

Alderman Buhr left the Council Chambers at 6:56pm
Alderman Buhr entered the Council Chambers at 6:57pm

CARRIED 9/0657 – 04/06/2019

INFORMATION AND CORRESPONDENCE

14.1 Information

14.1.1 LGANT Draft Executive Minutes – 20 May 2019

Moved: Deputy Mayor Henderson
Seconded: Alderman Buhr


CARRIED 9/0658 – 04/06/2019
14.2 Correspondence
Nil.

15 REPORT OF DELEGATES

15.1 Palmerston Regional Business Association (PRBA) Event Update

Moved: Alderman Giesecke
Seconded: Alderman Garden

THAT the verbal report received by Alderman Giesecke regarding Palmerston Regional Business Association (PRBA) Event Update be received and noted.

CARRIED 9/0659 – 04/06/2019

16 QUESTIONS BY MEMBERS

Nil.

17 GENERAL BUSINESS

Nil.

18 NEXT COUNCIL MEETING

Moved: Alderman Hale
Seconded: Deputy Mayor Henderson

THAT the next Ordinary Meeting of Council be held on Tuesday, 18 June 2019 at 5:30pm in the Council Chambers, First Floor, Civic Plaza, 1 Chung Wah Terrace Palmerston.

CARRIED 9/0660 – 04/06/2019

19 CLOSURE OF MEETING TO PUBLIC

Moved: Alderman Spick
Seconded: Alderman Lewis

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 9/0661 – 04/06/2019

Initials: 
ADJOURNMENT OF MEETING AND MEDIA LIAISON

Moved: Alderman Buhr  
Seconded: Alderman Spick

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

CARRIED 9/0662 – 04/06/2019

The meeting adjourned at 7:05pm.