

## CITY OF PALMERSTON

**Minutes of Council Meeting  
held in Council Chambers  
Civic Plaza, Palmerston  
on Tuesday 2 August 2016 at 6.31pm.**

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Mayor Ian Abbott  
Chair

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

### Audio Disclaimer

An audio recording of this meeting is being made for minute taking purposes as authorised by City of Palmerston Policy MEE3 Recording of Meetings, available on Council's Website.

## 1 PRESENT

Elected Members:	His Worship the Mayor Ian Abbott (Chair) Alderman Andrew Byrne Alderman Athina Pascoe-Bell Alderman Paul Bunker Alderman Sue McKinnon
Staff:	Ricki Bruhn, Chief Executive Officer Mark Spangler, Director of Technical Services Ben Dornier, Director of Corporate and Community Services Gerard Rosse, Manager Planning and Environment Services Alyce Breed, Minute Secretary
Gallery:	Sharon Sykes, Top End Health Service Glen Brady, Department of Infrastructure Lauren Roberts, NT News 1 member of the public

## 2 APOLOGIES

Deputy Mayor Seranna Shutt – Apology and Alderman Geoff Carter – On Council Business

### ACCEPTANCE OF APOLOGIES AND LEAVE OF ABSENCE

Moved: Alderman Pascoe-Bell  
Seconded: Alderman McKinnon

THAT the apology received from Deputy Mayor Shutt and Alderman Carter be received and granted.

CARRIED 8/2173 – 02/08/2016

### 3 CONFIRMATION OF MINUTES

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Moved: Alderman McKinnon  
Seconded: Alderman Pascoe-Bell

1. THAT the minutes of the Council Meeting held Tuesday, 19 July 2016 pages 8636 to 8644, be confirmed.
2. THAT the Confidential minutes of the Council Meeting held Tuesday, 19 July 2016 pages 245 to 251, be confirmed.
3. THAT the minutes of the Special Council Meeting held Tuesday, 26 July 2016 pages 8647 to 8653, be confirmed.

CARRIED 8/2174 - 02/08/2016

### 4 MAYOR'S REPORT

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M8-26

Moved: Alderman McKinnon  
Seconded: Alderman Pascoe-Bell

THAT Council receives Report Number M8-26.

CARRIED 8/2175 - 02/08/2016

### 5 REPORT OF DELEGATES

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Nil.

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

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Nil.

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

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Nil.

### 8 PETITIONS

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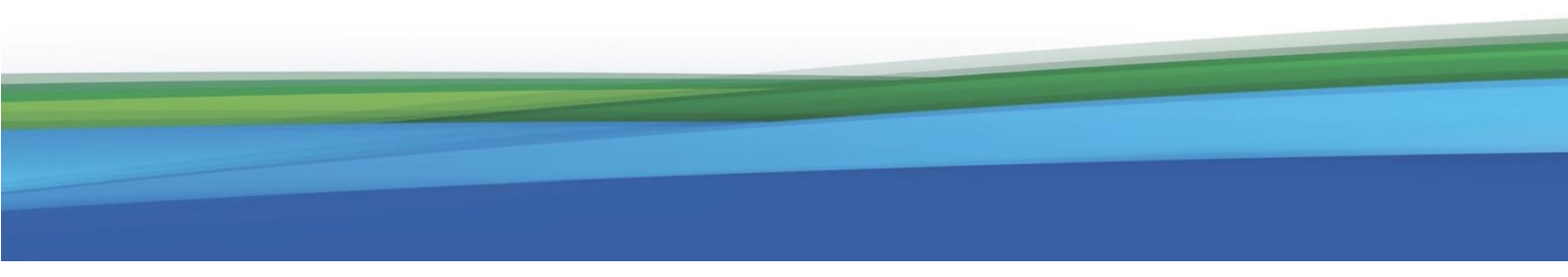
Nil.

### 9 DEPUTATIONS/PRESENTATIONS

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#### 9.1 Palmerston Regional Hospital Commissioning Report

Presentation by Sharon Sykes, General Manager Operational Commissioning of Palmerston Regional Hospital, Top End Health Service and Glen Brady, Project Director of Building Services, Department of Infrastructure.



## 10 CONSIDERATION OF MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

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### 10.1 Rates Concession 2016/2017

Moved: Alderman Pascoe-Bell  
Seconded: Alderman McKinnon

1. THAT Council grant a Rates Concession under Part 11.8 Local Government Act under the following conditions:
  - Concession is granted to the value of rates above the set minimum rate;
  - Concession is set to the value of 25%;
  - Concession is only available for owner-occupied residential properties, excluding Marlow Lagoon;
  - Concession is not available for land released in the financial year 2015/16 and 2016/17;
  - Granting of the concession is tied to the property owner and is removed if property is transferred or sold;
  - Concession is granted for the financial year 2016/17;
  - Concession is only available to residents that provide appropriate validation of their residential address as an owner/occupier;
  - Concession applications have to be received by Council before the first instalment due date.

MOTION LOST

### DIVISION

Alderman Pascoe-Bell called a division – as a consequence the result of the above motion was set aside. Upon dividing, 2 members voted in the affirmative, 3 member voted in the negative.

#### Members Voting in the Affirmative

Alderman Pascoe-Bell  
Alderman McKinnon

#### Members Voting in the Negative

Mayor Abbott  
Alderman Byrne  
Alderman Bunker

The Chair declared the motion LOST

## 11 COMMITTEE RECOMMENDATIONS

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### 11.1 Governance and Organisation

Nil.

### 11.2 Economic Development and Infrastructure

Nil.

### 11.3 Community Culture and Environment

Nil.



## 12 INFORMATION AGENDA

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### 12.1 Items for Exclusion

Nil.

### 12.2 Receipt of Information Reports

Moved: Alderman McKinnon

Seconded: Alderman Byrne

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

CARRIED 8/2176 - 02/08/2016

The Chair invited the Chief Executive Officer, Director of Technical Services and Director of Corporate and 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

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### 13.1 Officer Reports

13.1.1 Regional Capitals Australia Annual Membership 2016/17 8/0949

Moved: Alderman McKinnon

Seconded: Alderman Pascoe-Bell

1. THAT Council receives Report Number 8/0949.

CARRIED 8/2177 - 02/08/2016

Moved: Alderman McKinnon

Seconded: Alderman Pascoe-Bell

2. THAT Council renew its membership to Regional Capitals Australia for 2016/2017 financial year.

CARRIED 8/2178 - 02/08/2016

**13.1.2      Draft Palmerston Community Infrastructure Plan – Endorsement for Public Consultation      8/0951**

Moved:     Alderman Bunker  
Seconded: Alderman McKinnon

1.   THAT Council receives Report Number 8/0951.
2.   THAT the draft Palmerston Community Infrastructure Plan be endorsed, for the purpose of undertaking public consultation on the draft document.

**CARRIED 8/2179 – 02/08/2016**

**13.1.3      Liquor Licence Application – Lot 5694 (1) Mannikan Court, Bakewell – New Liquor Licence (restaurant) – OKA Malaysian Chinese Cuisine      8/0952**

Moved:     Alderman Byrne  
Seconded: Alderman Bunker

1.   THAT Council receives Report Number 8/0952.
2.   THAT Attachment B to Report Number 8/0952 be endorsed.

**CARRIED 8/2180 – 02/08/2016**

**13.1.4      Liquor Licence Application (Variation to existing Liquor Licence) – Lot 5976 (10) Temple Terrace, Palmerston – Cazalys Club      8/0953**

Moved:     Alderman Byrne  
Seconded: Alderman Bunker

1.   THAT Council receives Report Number 8/0953.
2.   THAT Attachment B to Report Number 8/0953 be endorsed.

**CARRIED 8/2181 – 02/08/2016**

**13.1.5      Development Application – Lot 12777 (15) Seafury Court, Zuccoli – Subdivision to create 11 lots      8/0954**

Moved:     Alderman Bunker  
Seconded: Alderman McKinnon

1.   THAT Council receives Report Number 8/0954.

**CARRIED 8/2182 – 02/08/2016**



- 13.1.5      Development Application – Lot 12777 (15) Seafury Court, Zuccoli – Subdivision  
to create 11 lots (continued)      8/0954

Moved:      Alderman Bunker  
Seconded:   Alderman McKinnon

2.   THAT Attachment A to Report Number 8/0954 be endorsed subject to the inclusion of a condition precedent requiring the applicant to demonstrate how the existing storm water management system will operate under the boundary arrangements of the subdivision.

CARRIED 8/2183 – 02/08/2016

#### 14   CORRESPONDENCE

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Nil.

#### 15   RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

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Nil

#### 16   PUBLIC QUESTION TIME

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A member of the public asked questions regarding the notice provided for Special Council meetings. The Chair provided a response to those questions.

#### 17   OTHER BUSINESS

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##### 17.1   Alderman Byrne

Alderman Byrne provided an overview of the Smart City Forum held by OpenGov on Friday 29 July 2016 at Rydges Palmerston, and expressed his enthusiasm to the future development of a digital strategy.

#### 18   CONFIDENTIAL REPORTS

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Moved:      Alderman Pascoe-Bell  
Seconded:   Alderman Byrne

##### 18.1   Financial Hardship Application Assessment 107440      8/0955

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, Director of Corporate and Community Services, Acting Director of Technical 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 Financial Hardship Application Assessment 107440 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;
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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 2 August 2016, in relation to confidential item number 18.1 Financial Hardship Application Assessment 107440, the report and associated documents 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 Financial Hardship Application Assessment 102017**

8/0956

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, Director of Corporate and Community Services, Acting Director of Technical 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 18.2 Financial Hardship Application Assessment 102017 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 2 August 2016, in relation to confidential item number 18.2 Financial Hardship Application Assessment 102017, the report and associated documents 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.

CARRIED 8/2184 - 02/08/2016

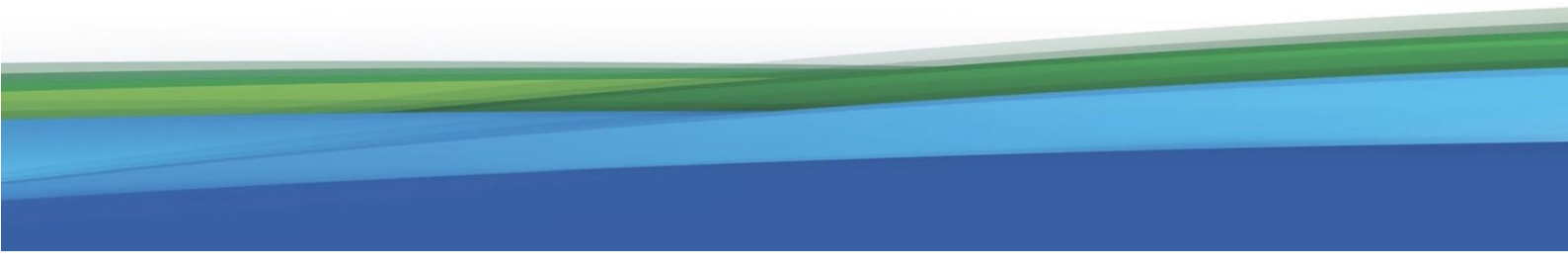
The meeting moved into the Confidential Session at 7:52pm.

**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:

**Financial Hardship Application Assessment 107440**

8/0955

1. THAT Council receives Report Number 8/0955.
  2. THAT Council approves remission of interest for the period 1 July 2016 to 30 June 2017 for assessment 107440 under the conditions of the rates concession policy FIN17.
  3. THAT the resolutions only come back to the open session.
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18.3 Moving decisions from the Confidential Session into the Open Session (continued)

Financial Hardship Application Assessment 102017

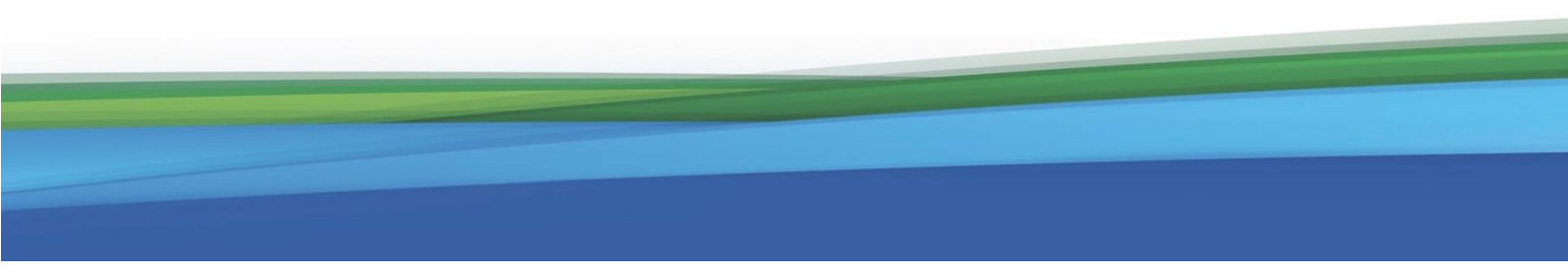
8/0956

1. THAT Council receives Report Number 8/0956.
2. THAT Council approves remission of interest for the period 1 July 2016 to 30 June 2017 for assessment 102017 under the conditions of the rates concession policy FIN17.
3. THAT the resolutions only come back to the open session.

**19** CLOSURE

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Meeting closed at 7.59pm





**CITY OF PALMERSTON**

**Minutes of Confidential Council Meeting  
held in Council Chambers, Civic Plaza, Palmerston  
on Tuesday, 16 June 2015 at 8.17pm**

**RELEASED TO THE PUBLIC RECORD**

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**1. PRESENT**

**Elected Members:** Deputy Mayor Sue McKinnon (Chair)  
Alderman Paul Bunker  
Alderman Seranna Shutt  
Alderman Geoff Carter  
Alderman Andrew Byrne  
Alderman Heather Malone

**Staff:** Mark Spangler, Acting Chief Executive Officer  
Jan Peters, Acting Director of Corporate and Community Services  
Emily Fanning, Minute Secretary

**Gallery:** Nil

**2. APOLOGIES**

Mayor Abbott - Apology

**ACCEPTANCE OF APOLOGIES AND LEAVE OF ABSENCE**

Moved: Alderman Carter  
Seconded: Alderman Bunker

THAT the apology received from Mayor Abbott be received and granted.

**CARRIED 8/1574–16/06/2015**

**3. DEPUTATIONS / PRESENTATIONS**

Nil

**4. COMMITTEE RECOMMENDATIONS**

**THIS SECTION OF THE MINUTES, REPORT AND ASSOCIATED DOCUMENTATION IS TO REMAIN CONFIDENTIAL AND NOT AVAILABLE FOR PUBLIC INSPECTION UNTIL AUTHORISED BY THE CHIEF EXECUTIVE OFFICER AS PER RESOLUTION NUMBER 8/1573-16/06/2015.**

**5. OFFICER REPORTS**

**5.1 Berrimah Farm Development**

**8/06586**

Moved: Alderman Bunker  
Seconded: Alderman Byrne

1. THAT Council receives Report Number 8/0686.
2. THAT Council delegates authority to the Chief Executive Officer to forward a letter of support to Urbex Pty Ltd outlining the municipal functions the City of Palmerston is able to provide, including cost recovery, to service the Berrimah Farm Development.

**CARRIED 8/1576–16/06/2015**

**5. MOVE TO OPEN**

Moved: Alderman Shutt  
Seconded: Alderman Carter

THAT the Council move into the open session.

**CARRIED 8/1577–16/06/2015**

The meeting moved to the Open Session at 8:24pm

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(Chair)

**ITEM NO.** 17.2      **Berrimah Farm Development**

**FROM:** Chief Executive Officer

**REPORT NUMBER:** 8/0686

**MEETING DATE:** 16 June 2015

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**Municipal Plan:**

**3. Environment & Infrastructure**

**3.2 Assets and Infrastructure**

3.2 We are committed to maintaining and developing community assets and infrastructure which meet the needs of our community

**Summary:**

To provide information to Council following a meeting with Mr Andrew Bartington, Project Director, Urbex Pty Ltd and to determine Council's level of interest in forwarding a letter of support to provide 'Municipal Services' for the proposed Berrimah Farm Development. Deputy Mayor McKinnon also attended this meeting in the absence of the Mayor.

**Background:**

Urbex Pty Ltd is one of three developers to be shortlisted by the NT Government to develop the area commonly referred to as Berrimah Farm. For this particular development, Urbex Pty Ltd are partnering with the DeLuca Group to deliver this project. It is anticipated the development will consist of predominantly residential uses, but be supported by commercial, recreation and open space uses. It is also likely that at least one school will be provided within the development.

Berrimah Farm is unique as the area is currently outside of any local government boundaries. It appears the NT Government is seeking to develop this area without local government involvement and has asked the three short-listed developers to document how they would provide regular local government municipal services to this development.

As the provision of municipal services are outside the expertise of Urbex Pty Ltd / DeLuca, they have approached the City of Palmerston to seek our interest in providing such services until a decision is made by the NT Government on which council area the development will be incorporated under.

As part of its review of constitutional arrangements, Council has requested the Minister for Local Government to review our existing municipal boundaries to incorporate the Berrimah Farm area within the City of Palmerston. A decision on this request for a review of boundaries is still pending.

The municipal services (functions) which have been identified by the NT Government as a minimum include:-

- Sanitation, garbage collection and street cleaning;
- Roads, footpaths, parking and traffic control;
- Public places (including parks and public toilets);
- Stormwater drainage;
- Street lighting;
- Animal Control

These are all core services currently provided by the City of Palmerston with the majority of these services (excluding animal control) delivered by our contractors. In addition to these services council also provides:-

- Library facilities and activities;
- Recreation / Swimming Centre;
- Community Development programs;

As Berrimah Farm is approximately 7km from the Palmerston CBD and 14km from the Darwin CBD, we are perfectly placed to provide municipal services. The new Palmerston Regional Hospital and retail developments can also serve the new development.

**General:**

Council has worked closely with Urbex Pty Ltd on recent developments at Johnston Stage 2 and Zuccoli Stage 1 and has established a good working relationship with the company and their staff.

In terms of cost recovery for providing these services, staff will quantify the actual costs to service the development, taking into account the new infrastructure which will be subject to a defects liability period. An administration charge will also be applied to recover any other costs.

The three short-listed developers are required to lodge their final submissions with the NT Government by 17 July 2015. Urbex Pty Ltd / DeLuca are seeking a letter from the City of Palmerston which includes:-

- Municipal services (functions) to be delivered;
- An outline of the delivery method for each municipal function to be provided, including the level of service;
- Details of costs that would be charged and how these will be reviewed.

Although this request is somewhat unusual, I believe Council should be supportive of providing a letter which indicates our abilities to provide the services requested and the fee structure to be applied.

There is a possibility that if the Urbex Pty Ltd / DeLuca submission is successful and the City of Palmerston provides the services for the development, the area could eventually be incorporated within the Palmerston Municipality to ensure continuity of services.

**Financial Implications:**

It is anticipated the charging of rates equivalent and an administration charge will recover the cost of providing municipal services for the developed area.

**Legislation / Policy:**

Nil

**RECOMMENDATION**

1. THAT Council receives Report Number 8/0686.
2. THAT Council delegates authority to the Chief Executive Officer to forward a letter of support to Urbex Pty Ltd outlining the municipal functions the City of Palmerston is able to provide, including cost recovery, to service the Berrimah Farm Development.

**Recommending Officer:** Ricki Bruhn, Chief Executive Officer

Any queries on this report may be directed to Ricki Bruhn, Chief Executive Officer on telephone (08) 8935 9902 or email [ricki.bruhn@palmerston.nt.gov.au](mailto:ricki.bruhn@palmerston.nt.gov.au).

**Schedule of Attachments:**

Nil