

CITY OF PALMERSTON

**Notice of Council Meeting
To be held in Council Chambers, Civic Plaza, Palmerston
On Tuesday, 2 February 2016 at 6:30pm**

AGENDA

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**
- 2. APOLOGIES**
- 3. CONFIRMATION OF MINUTES**

RECOMMENDATION

1. THAT the minutes of the Council Meeting held Tuesday, 12 January 2016 pages 8389 to 8398, be confirmed.
2. THAT the Confidential minutes of the Council Meeting held Tuesday, 12 January 2016 pages 203 to 205, be confirmed.

- 4. MAYOR'S REPORT**
- 5. REPORT OF DELEGATES**
- 6. QUESTIONS (WITHOUT DEBATE) FOR WHICH NOTICE HAS BEEN GIVEN**
- 7. QUESTIONS (WITHOUT DEBATE) FOR WHICH NOTICE HAS NOT BEEN GIVEN**
- 8. PETITIONS**
- 9. DEPUTATIONS / PRESENTATIONS**
- 10. CONSIDERATION OF MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN**

11. COMMITTEE RECOMMENDATIONS

11.1 Governance and Organisation

Nil

11.2 Economic Development and Infrastructure

THAT the minutes from the Special Economic Development and Infrastructure Committee meeting held on 27 January 2016, be received and noted and that Council adopts the recommendations made by the Committee and accordingly resolves as follows:-

11.2.1 Capital Works for Disability Access for 2015/16

1. THAT Council approve disability access improvement works for the sites recommended in Table 1.0 of Report Number EDI/198.
2. THAT disability access improvement works involving concrete footpaths not use reinforcing steel unless deemed necessary by the Director of Technical Services.
3. THAT any identified cost savings are allocated to further disability access projects, at the discretion of the Director of Technical Services, to ensure the full budget allocation is expended.
4. THAT the Director of Technical Services checks the requirement to improve the proposed disability path at Location 9: Marlow Lagoon as identified in Attachment A to Report number EDI/198, prior to works commencing.

11.2.2 Carbon Tax Reimbursement

THAT any reimbursement received from the City of Darwin for Carbon Tax generated through the usage of the Shoal Bay Waste Facility, be appropriated into the Waste Management Reserve.

11.2.3 Disability Access Works

THAT a mechanism be developed for disability access new and improved works and be directed to the disability working party from Council advisory bodies, Aldermen and community.

11.2.4 Timed Parking Signs on The Boulevard Stage 1

THAT timed parking signs be installed on The Boulevard Stage 1.

11.2.5 Expressions of Interest on Lot 10029 and Part Lot 9608

THAT the Chief Executive Officer be given delegated authority to negotiate with any expression of interest received for the sale of Lot 10029 and Part Lot 9608.

11.2.6 The Boulevard Stage 2 – Funding Approval

1. THAT Council notes that the Quest Apartments have requested the exposed aggregate concrete footpath adjacent to the Quest Apartments be retained at this time.
2. THAT Council approves the proposed detour to the Quest Apartments at an estimated cost of \$60,000.
3. THAT Council approve a project construction budget for The Boulevard Stage 2 of \$4,571,500 comprised of:
 - a. \$2,731,648 in external funding;
 - b. \$1,839,852 drawn from the infrastructure reserve

11.3 Community Culture and Environment

Nil

12. INFORMATION AGENDA

12.1 Items for Exclusion

12.2 Receipt of Information Reports

RECOMMENDATION

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

12.3 Officer Reports

- | | |
|--|---------------|
| 12.3.1 Action Report | 8/0810 |
| 12.3.2 Technical Services Quarterly Report October to December 2015 | 8/0811 |

13. DEBATE AGENDA

13.1 Officer Reports

13.1.1	Discharge of Statutory Charge	8/0812
13.1.2	Appointment of Chair to Committees of Council 2016/17	8/0813
13.1.3	City of Palmerston By-Election 2015	8/0814
13.1.4	Power to Sell Land – Various Assessments	8/0815
13.1.5	The Boulevard Stage 2 – Scope of Works	8/0816

14. CORRESPONDENCE

15. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

16. PUBLIC QUESTION TIME

At the invitation of the Chair

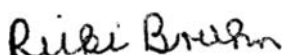
17. OTHER BUSINESS – ALDERMAN REPORTS

By-law 14(8) provides that the Chairman must not accept a motion without notice if the effect of the motion would, if carried, be to incur expenditure in excess of \$1,000 unless

- a) the motion relates to the subject matter of a committee's or sub committee's recommendations (as the case may be, or an officer's report that is listed for consideration on the business paper; or*
- b) the matter is urgent*

18. CONFIDENTIAL REPORTS

19. CLOSURE



Ricki Bruhn
Chief Executive Officer

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

ITEM NO. 12.3.1 **Action Report**

FROM: Chief Executive Officer

REPORT NUMBER: 8/0810

MEETING DATE: 2 February 2016

Municipal Plan:

4. Governance & Organisation

4.3 People

We value our people, and the culture of our organisation. We are committed to continuous improvement

Summary:

This report outlines individual action items outstanding from previous Council Meetings. Council is asked to receive this report:

Dec #	Task Date	Matter	Action	Update
8/0847	19/11/2013	TC Zone Land	Discuss with NT Government on acquiring the Tourist Commercial (TC) Zone land – Part Lot 8405	Letter received 9 April 2014 advising investigations are currently being undertaken to inform the potential release of this site including servicing and development options.
8/0949	18/02/2014	Car Parking Contribution Plan Update	Matter on the table	
8/1126	17/06/2014	Reconstruct Radford Road	Council to enter into a memorandum of understanding regarding the use of any contractor security held by LDC.	Construction work in progress.
8/1354	09/12/2014	Draft Palmerston City Centre Master Plan 2014 and associated documents	<ul style="list-style-type: none">- Draft Palmerston City Centre Parking Strategy to be presented to and considered by the City of Palmerston's Car Parking Committee.- Final documents and application submission to amend the NT Planning Scheme be submitted to Council for endorsement at the Council meeting scheduled 17 February 2015.	<p>Council has adopted the Palmerston City Centre Master Plan and associated documents. Council adopted the Palmerston City Centre Parking Strategy on 2 June 2015.</p> <p>Staff are currently reviewing the proposed NT Planning Scheme Amendment Package for the Palmerston</p>

			<ul style="list-style-type: none"> - Mayor to forward a letter to the Minister for Lands and Planning to inform the NT Government of the public consultation process for the Draft City Centre Master Plan "package", prior to lodgement of the formal rezoning application with the Minister in 2015. 	City Centre Master Plan and associated documents. After the completion of the review, documents will be submitted to the DLPE for their consideration.
8/1666		The Heights Durack Eastern Collector Road	Mayor and CEO to be delegated the ability to apply Council's seal and to sign all documents for the establishment of a road access easement on Lot 11504, 80 University Avenue, Durack.	Awaiting construction and transfer documents from developer. No further action expected until mid to late 2016.
8/1695	06/10/2015	Streetlights Assets – Points of Clarification/Capital Charges	<p>A report to be presented to Council regarding the following:-</p> <ul style="list-style-type: none"> - As the Power and Water Authority denies owning the asset, when a subdivision is signed off who actually signs for the ownership of the power poles; - A legal opinion regarding depreciation if Power and Water Authority do not own the asset how can they charge depreciation on an asset they do not own; - If a streetlight is over 20 years how can they charge depreciation on an item that is fully depreciated; - Once a streetlight reaches 20 years will they consider the asset written down and not charge any further depreciation; - Council is being charged on a per unit basis, can we work out what the actual cost per kilowatt is based on the running times of the light; - Financial implications to ratepayers; - Information to establish a committee/provide consultation with rate payers on whether if the charge is levied they would like an 	Responses have been received from PWC. Report to be presented to Council in February 2016.

			increase in rates or a reduction in services or a combination of both. If it is a reduction of services then which services would they like to see reduced.	
8/1707	20/10/2015	Bi-Annual Council Meetings in Community Venue	Council to trial the holding of two Council meetings in 2016 in community venues with a budget allocation of \$4,600.	Meetings will be scheduled in line with Chambers roof repairs approximately March 2016.
8/1707	20/10/2015	Policy Review Community Consultation Policy	Council to undertake a City Wide Level 1 Consultation on the Draft Community Consultation Policy.	Community Consultation Completed. A report will be provided to the February GOC meeting.
8/1714	20/10/2015	Joy Anderson Centre	CEO to write to the Dept. of Housing, to seek consideration for the freehold title of the Joy Anderson Centre, to be transferred to the City of Palmerston as a community asset.	Letter received by CEO Dept Housing, advising they are currently undertaking a review into NT Government Housing Programs and are unable to comment on future arrangements until the review is completed.
8/1755	17/11/2015	Sale of a Portion of Miller Court Road Reserve	CEO to arrange a valuation and report back to Council.	An independent valuer has been commissioned to undertake the valuation. The valuer's report is expected to be received in February. A report will be provided to the first Council Meeting in March.
8/1755	17/11/2015	Incorporating Yarrowonga Road North Funding into Proposed Territory Government Funding to Resolve Stormwater Issues in Yarrowonga and Pinelands	\$376,000 will be moved from reserves to undertake Baban Place drainage remediation in conjunction with the Northern Territory Government.	NT Government has been notified.
8/1764	17/11/2015	- Costs for Fencing of Playgrounds in Parks	- Council to conduct a level 1 consultation with Palmerston families in 2016, in regards to fencing and partial fencing of some Palmerston playgrounds in our parks.	- A report on the cost of undertaking consultation was provided to the meeting held on 8/12/2015.
8/1768	17/11/2015	- Fencing Options Level 1 Consultation	- Report to be provided to Council regarding the cost of undertaking a Level 1 consultation on fencing options for playgrounds.	

8/1773	8/12/2015	Motorbike Parking on Private Property/Verges	DTS to approach the owner of Highway House regarding the storage of a motorcycle adjacent to Ben and Sam's Café and Bakehouse.	Letter sent 15 December 2015.
8/1715	20/10/2015	Goyder Walking Trail in Palmerston	<ul style="list-style-type: none"> - Council are to investigate developing a "Goyder Walking Trail" within the City of Palmerston with a view to establishing appropriate walking trail infrastructure and interpretive signage. - Council will initiate discussions with the City of Darwin and Litchfield Council to develop an integrated Goyder Walking Trail across the three municipalities. - Council seek funding under appropriate Federal and Northern Territory Government funding programs that are available to fund the Goyder Walking Trail project. - Council will investigate the development of an annual Goyder Walking Trail Event in the City of Palmerston to commence in February 2016 as part of the Northern Territory Heritage Week. 	Completed.
8/1776	8/12/2015	Goyder Walking Trail	A draft Goyder Walking trail be provided to Council for consideration.	Heritage Study (CCE/0482) to be undertaken to inform possible Goyder Walking trail. Staff are working on commissioning a consultant for the study.
8/1777 8/1780	8/12/2015	Recreational Fishing – Durack Lakes and Marlow Lagoon	<ul style="list-style-type: none"> - Signage to be erected at Lake 5, 6 and 10 Durack Lakes and Marlow Lagoon. - Estimated cost to construct recreational fishing infrastructure at lakes 5, 6 and 10 be provided to Council for consideration prior to its inclusion in the draft 2016/17 budget. 	Estimated costs for the fishing infrastructure were provided to the Capital Works Workshop held on 3/12/2015.
8/1789	8/12/2015	Significant Tree Register	Options available to establish a significant tree register be referred to the CCE Committee.	

8/1799	8/12/2015	The Boulevard Stage 2	<ul style="list-style-type: none"> - Report on funding options for construction of The Boulevard Stage 2 be provided to a Special Meeting of the EDI Committee prior to 28 January 2016. - Report to be provided to Council regarding the impact of a reduced scope of works on The Boulevard Stage 2. - City of Palmerston to investigate and report the options for consolidation of the excess Boulevard road reserve with adjacent Lot 4537 and Lot 10027. 	<ul style="list-style-type: none"> - Completed - Report to be presented to Council at its 2 February 2016 Council meeting.
8/1791	12/01/2016	Consent to Drainage Easement on Lots 12445 and 12446 (5 and 7) George Street, Johnston	Mayor and CEO 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.	Completed
8/1796	12/01/2016	Conversion of Crown Leases in Perpetuity (CLP) 1502 and 1503 to Freehold Title on Lots 4173 and 4502, Fiveash Lane, Palmerston City	Mayor and CEO 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.	Completed
8/1802	12/01/2016	Review of Rates Concessions	Council to be provided with a report on the ability to rescind rates concessions at the Gateway site should a gaming licence be approved.	Report expected to Council second meeting in February 2016.
8/1805	12/01/2016	Rates Concession Assessment 103488 for	Council are to 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.	Completed.

		Community Infrastructure Plan	Progress update.	The draft Community Infrastructure Plan is nearing completion with a Council workshop scheduled to be held in February. Followed by a report to Council seeking formal endorsement. Once endorsed, the Plan will undertake Public consultation in March / April 2016.
--	--	-------------------------------	------------------	---

RECOMMENDATION

THAT Council receives Report Number 8/0810.

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

ITEM NO. 12.3.2 **Technical Services Quarterly Report October – December 2015**

FROM: **Acting Director Technical Services**

REPORT NUMBER: **8/0811**

MEETING DATE: **2 February 2016**

Municipal Plan:

- 1. Community & Cultural Wellbeing**
- 2. Economic Development**
- 3. Environment & Infrastructure**
- 4. Governance & Organisation**

Summary:

This report summarises outcomes in the key activities undertaken by Council's Technical Services Department during the October to December 2015 quarter.

General:

Council's Technical Services Department reports on key activities relating to the Management Plan outcomes on a quarterly basis.

Key Activities and Issues

During the quarter activities of interest and works undertaken included:

- TS2015/09 - Reseal Various Roads was awarded on 20 October 2015 to Asphalt Co Aust Pty Ltd for the amount of \$330, 395.95 (GST exclusive).
 - Variation to contract occurred on 9 December 2015 as the tender price was well under the allocated budget. The following works were added into the schedule of works;
 - Camelion Crt, Gray (2 Cul de sacs)
 - Heroine Crt, Gray (from Cornwallis St to Cul de sac)
 - Heroine Crt, Gray (Cul de sac)
 - Emily Crt, Driver (from Fairway Dr to end)
 - Emma Crt, Driver (from Emily Crt to end)
 - Antonino Dr, Rosebery (marked section from Haydon St to Zeroni Street)
 - Reseal works were carried out and completed in the following locations;
 - Memorial Car Park
 - Crown Crt, Durack (whole road from Majestic Dr)
 - Kooyonga Parade, Durack (whole road from Kooralbyn Way)
 - Lucy Crt, Driver (whole road from 12 Lucy Crt)
 - Watson Crt, Farrar (Cul de sac)
 - Manson Crt, Moulden (Cul de sac)

Key Activities and Issues (continued)

- TS2015/11 – Cleaning City of Palmerston Buildings and Facilities was awarded on 20 October 2015 to Ezko Property Services.'
- Council completed the 2nd round of its annual Cyclone Clean-Up Program. The suburbs of Farrar, Gunn, Bakewell, Rosebery, Johnston, Bellamack and Zuccoli were completed during the reporting period. A total of 44.98 tonnes was collected.
- Information session was held for all builders and certifiers on 1st October 2015 in relation to the changes in Council's requirements for its pre-approval procedure resulting from changes to the Planning Scheme.

Workshops held with Elected Members

During the quarter a workshop was held on 3 December 2015 with the Elected Members in relation to the 10yr Capital Works Program.

1. COMMUNITY & CULTURAL WELLBEING

1.2 Safe Communities

Animal Management/Regulatory Services

	Work Description	Outcome (Quantity)	Unit	Comment
Customer Complaints	Response to customer complaints <i>Animals</i>	315	Number of Customer Action Requests completed	315 - Animal related
Customer Complaints	Response to customer complaints <i>Public places.</i>	106	Number of Customer Action Requests completed	89 -Vehicle related 17 - Other By-laws
Enforcement By-laws. Traffic Regulations	Infringement notices <i>Parking, Public Places</i>	349	Number of Parking and Public places infringement notices issued	342 - Parking 7 - Public Places
Enforcement Animal Management By-laws	Infringement notices <i>Animals</i>	36	Number of Animal Management infringement notices issued	21 – At large 5 – Attack 5 – Unregistered 3 – Nuisance 2 – No Current Licence
Enforcement Traffic Regulations	Abandoned Vehicles	51	Number of Vehicles removed	25 – Removed by owner or persons unknown 26 – Removed by Council
Registration Compliance	Dog registrations for 2014/15	4810	Number of dogs registered by end of fourth quarter	4009 – De-Sexed animals 801 – Entire animals registered by end of second quarter
Pound Operations	Dogs impounded	130	Number of dogs impounded	95 - Released to owner 26 – Euthanized 9 – Rehomed

- A total amount of \$15,673.00 was issued in parking infringements.
- \$11, 524.00 was collected for parking offences during this period.

1.2 Safe Communities – Cyclone, Disaster and Emergency Management

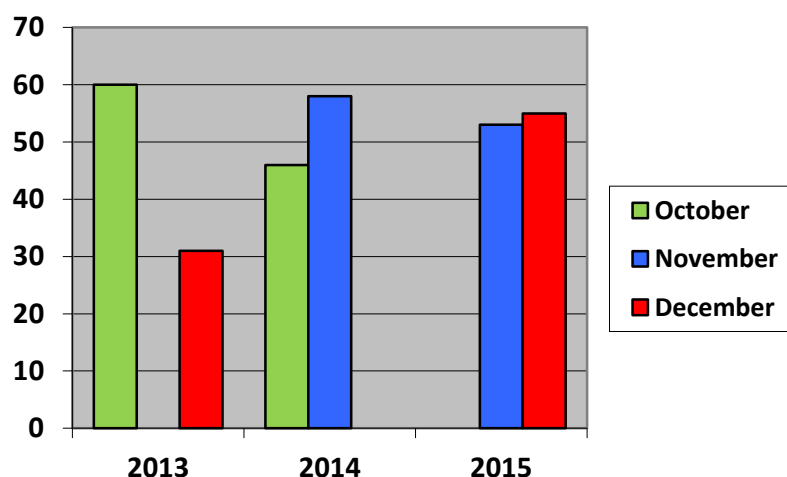
- Council completed the final round of its annual Cyclone Clean-Up Program. The suburbs of Farrar, Gunn, Bakewell, Rosebery, Johnston, Bellamack and Zuccoli were completed. A total of 44.98 tonnes was collected.

Street Lighting

- Light audits throughout the municipality are carried out approximately every six weeks. Lights were inspected twice during the quarter and the results are as follows:

Number of Lights Found not to be Operational after Audits

Year	October	November	December
2013	60	-	31
2014	46	58	-
2015	-	53	55



1.4 Recreation

- Lightning protection of irrigation controllers were installed at:
 - Woodroffe Bore
 - Lake 10 Durack
 - Phyllis Uren Park Farrar
- Irrigation system upgrades were undertaken at the following locations:
 - Tracey Park Woodroffe
 - Bowman Park Woodroffe
- Irrigation designs were undertaken for the following locations:
 - Chung Wah median CBD
 - Golden Grove Park Rosebery
 - Prism Park Woodroffe
 - Gager Park Gunn
 - Recreation Centre CBD

Note: The projects above were funded by the Capital Works program 2014/15.

Walking and Cycling Infrastructure

Concrete

- 355m² of concrete footpath path was replaced along road reserves and laneways in the suburbs of Woodroffe, Farrar and Temple Terrace expending 23% of the pathway maintenance budget.
- 75.8m edge drop off has been repaired in Woodroffe, Gray and Rosebery expending 2.5% of the pathway maintenance budget.
- 110m² of concrete cycle pathway has been replaced along Farrar Boulevard under the 2015/16 Capital Works Program.
- 111m² of footpath has been replaced in front of Durack Primary School under the 2015/16 Capital Works Program.

Asphalt

- 115m² of asphalt footpath was replaced along road reserve in Woodroffe, Gray and Rosebery expending 4.5% of the pathway maintenance budget.
- 380m² of asphalt footpath was replaced in laneways throughout Woodroffe and Moulden under the 2015/16 Capital Works Program.
- 76m² of asphalt footpath was replaced in Gordon Scott Park, Moulden.

Parks, Gardens and Playgrounds

- A total of 4 open space/park inspections were carried out during the reporting period (*in addition to contract landscape maintenance personnel reporting observations*).
- 10 locations were visited by staff to inspect areas for compliance under the current contract arrangements in regard to mowing activities.
- 18 safety inspections were undertaken by staff on play equipment (*in addition to contracted playground maintenance service*).
- 96 requests were received from residents to inspect trees throughout the municipality.
- 76 locations required tree works to be undertaken.
- 51 Customer requests and numerous phone calls were received regarding irrigation.
- A total 519 repair sites were carried out on irrigation systems during the reporting period.
 - 227 jobs were allocated to CoP Staff.
 - 292 jobs were allocated to contractors.

Streetscapes and Open Spaces

- Street tree pruning program was carried out in along Temple Terrace and Elrundie Avenue and also in the suburbs of Moulden, Farrar, Marlow Lagoon, Bellamack and Rosebery.

3. ENVIRONMENT & INFRASTRUCTURE

The following developments/constructions occurred during the reporting period.

Date Received	PA Number	Lot No.	Address	Development Description	Development Type	Value
02-Oct-15	PA2015/0713	12432 and 4251	Zuccoli Pde and 575 Roystonea Ave, Zuccoli	Subdivision to create 205 residential lots and 1 public open space lot in 3 stages, and a side setback plan (Zuccoli 3/4 sub-stage 2)	Sudivision	\$0
09-Oct-15	PA2015/0699	6976	1 Maximilia Court, Durack	Carport with reduced front and side setback	SD	\$10,000.00
08-Oct-15	PA2015/740	1133, 1134, 1135	38-42 Georgina Crescent, Yarrowonga	Showroom sales, warehouses and a service station	Commercial	\$15,000,000.00
16-Oct-15	PA2015/0748	9635 and 10026	15 The Boulevard, Palmerston City	Changes to DP15/0376 including removal of motel component and corresponding layout changes.	Commercial / Residential Mized Use	\$24,000,000.00
16-Oct-15	PA2015/0746	10792	15 Corry Street, Bellamack	Shed addition to an existing single dwelling with a reduced rear setback	SD	\$10,000
23-Oct-15	PA2015/0761	3589	86 Woodroffe Ave, Woodroffe	Office addition to existing Community Centre (Replacement of existing office with larger office building)	CF	\$200,000
30-Oct-15	PA2015/0786	12734	48 Crosby Street, Zuccoli	UTS (MD)	MD	\$0
30-Oct-15	PA2015/0783	12443	1 George Streetm Johnston	3 X 3 MD	MD	\$960,000
30-Oct-15	PA2015/0784	10281	127 Flynn Circuit, Bellamack	UTS	Commercial	\$0
30-Oct-15	PA2015/0787	12433	Zuccoli Pde and 575 Roystonea Ave, Zuccoli	3 X 3 MD	MD	\$780,000
06-Nov-15	PA2015/0781	12087	Zuccoli	Buildgin Setback Plan Stage 2D	MD	\$208
06-Nov-15	PA2015/0790	5638	12 Cambridge Close, Durack	Shed addition to an existing single dwelling with a reduced setback	SD	\$27,651
06-Nov-15	PA2015/0767	3132	3 Lowe Court, Driver	Verandah addition to existing multiple dwellings (Unit 1)	MD	\$10,000
06-Nov-15	PA2015/0802	13210	Zuccoli	Subdivision to create 69 lots (Zuccoli stage 1 phase 3.2)	SD	\$0
27-Nov-15	PA2015/0855	11181	3 Redwood Street, Johnston	Shed	SD	\$6,690
01-Dec-15	PA2015/0867	11666	12 Warbird Street, Zuccoli	UTS	MD	\$10,000
07-Dec-15	PA2015/0874	11504	80 University Avenue, Durack	Park and Ride Facility	CP	\$60,000
08-Dec-15	PA2015/0833	11289	30 Polglase Circuit, Johsnton	UTS	MD	\$9,000
08-Dec-15	PA2015/0878	7209	15 Gillon Court, Bakewell	Shed	SD	\$12,448
08-Dec-15	PA2015/0861	11290	4 Gayler Court, Johnston	UTS	MD	\$9,000
08-Dec-15	PA2015/0860	11632	6 Wedding Road, Tivendale	UTS	MD	\$0
08-Dec-15	PA2015/0856	10624	14 Bennett Street, Bellamack	UTS	MD	\$10,000
08-Dec-15	PA2015/0692	5434	76 Marurice Terrace, Bakewell	UTS	MD	\$0
						\$41,114,997

3.1 Environmental Sustainability

Staff attended the following workshops, conferences and meetings and responded to the following requests.

- Environment and Climate Change - Council Forum, 21 October 2015.

Council held a free Public Forum to discuss a range of items on the subject of 'Taking Sustainable Palmerston Forward'. Guest speakers included Prof Andrew Campbell (Head, School of Environment Director, Research Institute for the Environment & Livelihoods Director, Centre for Renewable Energy Charles Darwin University) and Mark Wiltshire (Manager for Sustainability Power and Water Corporation). The Forum was well attended by a range of community members.

- Sustainable Urban Living – Seminar, 22 October 2015.

The Manager of Planning and Environment Services attended a seminar hosted by the city of Darwin and Living Water Smart on Sustainable Urban Living, Josh Byrne (Western Australian presenter on ABC's iconic Gardening Australia program) was a guest speaker.

- Waste and Recycling Meeting, 29 October 2015.
- Green Australia Meeting, 2 November 2015.

In association with Dr. Brooke Rankmore (Director of Conservation Darwin) and Todd Birkenshaw (Greening Australia's National Director of Conservation) a further meeting was held to discuss the opportunity for Greening Australia involvement in the development of Archer Waste and Recycling Recovery Centre. Considerations of what would best suit City of Palmerston includes discussion of plant nursery, education centre and on-the-spot reuse of some of the delivered recycling materials. Discussion in this regard are being pursued with a variety of potentials and is ongoing.

- Territory Natural Resources Management Conference Darwin, 11 November 2015.

The 7th TNRM Conference and Awards was once again held at the Darwin Waterfront Precinct, gathering together representatives from across the Territory to meet and discuss issues in natural resource management. The Conference and Awards brought together over 330 delegates together to learn about and share their NRM stories and skills. CoP officers attended the conference, workshops and also the awards night where Council was a Finalist in the 2015 NT NRM Awards, with its entry "ANZAC Living Memorials" in the 'Best Natural Resource Management Story' Category.

- ANZAC Living Memorial Tree Planting Day, 2 December 2015.

The second tree planting was held at Joan Fejo park Rosebery to commemorate the Anzac Centenary, marking 100 years since our involvement in the First World War through their Anzac Living Memorials program. The program aims to support locally driven activities that engage the community in commemorative events that are linked to our Anzac history – Gallipoli to Afghanistan. Regional staff from Conservation Volunteers Australia are the providers of the arrangements and Telstra arranged volunteer hours provided by their staff and are paying for the planting stock. Council is pleased to be working in partnership on this program and filming and interviews with the December 2 event are now available on Council's website/Youtube links.

3.2 Assets and Infrastructure

Roads

- 136 potholes were repaired across the municipality with hot mix expending 7% of the road maintenance budget.
- 69.88m² of various roads were reconstructed across the municipality expending 14% of the road maintenance budget.
- 17.5m of kerb and gutter was replaced expending 1% of road maintenance budget.

Line Marking

- New line marking has been renewed along Essington Avenue (in front of Gray Shops), McKenzie Road in Pinelands and Adam Road in Yarrowonga expending 5% of the line marking budget.

Signage

- 51 various street signs have been replaced expending 13% of the road furniture maintenance budget.
- 15 new street signs have been installed expending 4% of the road furniture maintenance budget.
- 47 various street signs have been repaired and reinstated expending 6% of the vandalism budget.
- Graffiti has been removed from 4 signs at various locations costing 2% of the graffiti budget.
- 34 various faded street signs were replaced under the 2015/16 Capital Works Program.

Fencing/Bollards

- 7 fence panels have been replaced in various locations consuming 4% of road furniture maintenance budget.
- 3 fence panels have been repaired and 27 new bollards installed at various locations expending 4% of the road furniture maintenance budget.

Driveways

- 29 new driveways have been constructed in various locations.
- 9 Driveways have been replaced under the 2015/16 Capital Works Program, and further maintenance works have been carried out on 8 damaged driveways in various locations consuming 15% of driveway maintenance budget.
- 83 permits were issued to construct driveways in various locations.
- 124 Driveway plans were approved.

Stormwater Infrastructure

- 83 stormwater connections were permitted in various locations within the municipality.
- 21 stormwater pit lids were replaced and 3 pit lids were reinstated expending 3% of the stormwater maintenance budget.
- Lintels have been replaced in 6 stormwater pits; new bars have been installed in 12 stormwater pits, and bolts & straps were repaired in 21 secured stormwater pits expending 7% of the stormwater maintenance budget.
- 12 drains at various locations were cleaned to remove silts and vegetation expending 5% of the stormwater maintenance budget.

Street Sweeping

- 215.4km of minor roads were swept across the suburbs of Bakewell, Bellamack, Rosebery, Gunn, Woodroffe, Driver, Moulden, Gray, Farrar, Yarrawonga, Zuccoli and Johnston.
- 35.6km of sub-arterial and distributor roads were swept.
- All footpaths, roads and car parks of whole CBD area have been swept 13 times.
- All footpaths/ cycle paths across the municipality have been swept three times.

Council Buildings and Facilities

All sites –

- 3 Monthly Audits for Fire Services were undertaken.

Aquatic Centre –

Main Building:

- 3 Monthly Service of Air Conditioner were undertaken.
- Front rolling shutter of the building was replaced costing 9.3% of building maintenance budget.
- 1 Free standing stainless steel chiller bubbler was replaced costing 3% of building maintenance budget.
- All gutters, downpipes and roofing were cleared of any debris costing 2% of building maintenance budget.
- Half Yearly RCD testing was completed costing 1% of building maintenance budget.
- Vandalised door and window was repaired costing 20% of Vandalism budget.

- A faulty valve from the backflow prevention device was replaced costing 2% of building maintenance budget.

Swimming Pool:

- A total of 3 pool audits were completed (1 per month).
- The battery for the swimming pool hoist was replaced.
- Ballast, fuse and three pool lights were replaced costing 9% of the building maintenance budget.
- Internal minor electrical works were carried out costing 1% of the building and maintenance budget.

Pump House:

- 3 Monthly services for the plants in the pump house were undertaken.
- A burst PVC pipe was replaced costing 6% of the building maintenance budget.
- A cracked flange stub at Pump 2 was replaced and broken flanges on filter 2 butterfly valve was replaced expending 4% of the swimming pool maintenance budget.
- Laterals and sand were replaced, and pre-existing materials were disposed of consuming 49% of the swimming pool maintenance budget.
- The hinge to the pump house door was identified as malfunctioning, temporary measures have been put into place and quotes have been sought to repair this.

Library –

- 3 monthly services of Air Conditioner.
- Scheduled quarterly pest control was carried out.
- Additional maintenance was done to the air conditioner as there was irregularities in airflow, total cost 5% of building maintenance cost.
- Zip sensor unit in the toilets was replaced costing 1% of building maintenance budget.
- 18 lights were replaced during this quarter utilising 2% of building maintenance budget.
- Plumbing works as requested were carried out costing 1% of building maintenance budget.
- All floor carpets within the Library were shampoo cleaned costing 1% of Building maintenance budget.
- All gutters, downpipes and roofing was cleared of any debris.

- Replaced broken glass & tinting on the window panel next to the afterhours return chute due to vandalism, costing 1% of building maintenance budget.
- The main door sensor was replaced costing 2% of building maintenance budget.
- Renovations to the foyer were completed costing 23% of building maintenance budget.
- Labour assistance was carried out to aid in the removal and installation of furniture and shelves costing 3.5% of building maintenance budget.
- Half yearly RCD testing & tagging was completed costing 1.5% of building maintenance budget.
- Major repairs were carried out to the main switch board including the replacement of a RCD costing <2% of the building maintenance budget.

Civic Plaza –

- 3 monthly services of Air Conditioner.
- Numerous callouts occurred during this reporting period in relation to air conditioning issues expending 5.6% of the building maintenance budget.
- Scheduled quarterly pest control was carried out.
- Scheduled quarterly maintenance of the lift was carried out.
- All gutters, downpipes and roofing were cleared of any debris.
- A weather proof coat was applied to the roof where potential leakage was identified.
- Maintenance was carried out to a section of the roof where leakage occurred, costing 1% of building maintenance budget.
- 125AMP fuse was replaced at the main switch board.
- Half yearly RCD testing and tagging was done during this quarter.
- 5x flickering lights were replaced in this quarter.
- Cupboard underneath the customer service desk was repair was.

Driver Resource Centre –

- 1 Bi-monthly audit of the Air Conditioner was carried out.
- Scheduled quarterly pest control was carried out.
- Half yearly RCD testing and tagging was done in this quarter.

- Repair were carried out to the cisterns costing <1% of building maintenance budget.
- A blocked drain pipe located outside the building was repaired costing 4% of building maintenance budget.
- 2 water bubbler taps and 1 pillar tap were replaced costing <1% of the building maintenance budget.
- An old electric cabinet that had been stored in the shed was removed and disposed of, costing 1% of the building maintenance budget.
- Fans outside the building that were not spinning were replaced costing <1% of building maintenance budget.
- All gutters, downpipes and roofing were cleared of any debris

Gray Community Hall –

- 1 Bi-monthly audit of the Air Conditioner was carried out.
- Scheduled quarterly pest control was carried out.
- A timber pest inspection was carried out.
- All gutters, downpipes and roofing were cleared of any debris.
- Half yearly RCD testing and tagging was done during this quarter.

Recreation Centre –

- 3 monthly services of Air Conditioner, costing 2.3% of the building maintenance budget.
- 5 air conditioner HRU filters were replace costing <1% of the building maintenance budget.
- Callouts to fix minor air conditioning issues occurred costing <1% of the building maintenance budget.
- The battery for the fire panel was replaced.
- 7 lights were repaired, replacement of a 3.5kg CO2 extinguisher occurred during the 6 monthly testing of fire equipment, expending 3% of the building maintenance budget.
- Repairs were carried out on one of the stadium doors.
- Timers for the lights were re-set and repairs were carried out to various lights within the child minding area, costing <1% of the building maintenance budget.

Bridges –

- The new rock fill embankment construction has completed. Project was funded under the 2015/16 Capital Works Program.

Council Depot -

- 1 Bi-monthly audit of the Air Conditioning at the Depot and Incubator was completed.

Inspection of Secured Stormwater Drains

Non-Secured Stormwater Drains

Stormwater pits in Moulden, Driver, Bakewell, Gray, Durack, and Durack heights, Rosebery, Woodroffe, Gunn and the CBD suburbs were inspected during the quarter.

Table 1: Summary of non-secured stormwater drain inspection reports by suburb

	Total # of Pits	Category 1	Category 2	Category 3	TOTAL Defects
Moulden	343	6	26	92	124
Bakewell	423	2	2	101	105
CBD	12	0	0	0	0
Driver	364	25	34	157	216
Durack	496	0	99	12	111
Durack heights	152	3	4	14	21
Gray	362	4	17	57	78
Gunn	436	4	6	100	110
Roseberry	477	0	4	84	88
Woodroffe	413	4	2	82	88
TOTAL	3478	48	194	699	941

Note: *Cat 1 – Defects requiring immediate action.*

Cat 2 – Defects not posing immediate hazards to users but need to be monitored if they escalate to the Category 1.

Cat 3 – Safe and fit for purpose

Table 2: Summary of non-secured stormwater drain inspection reports by defect

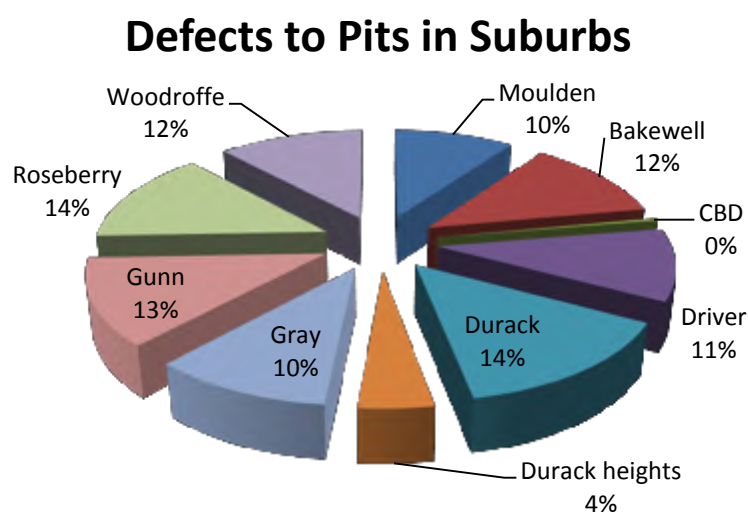
	Category 1	Category 2	Category 3	TOTAL
Concrete invert	1	1	5	7
Letter Box Pit bars	5	3	17	25
Pit Lid	1	54	581	636
Rubbish and debris	3	2	0	5
Side Entry Pit Lintel	1	32	61	94
Blockages	37	20	33	90
Signage	0	0	0	0
Sinkhole near pit	0	0	0	0
Depth markers	0	0	0	0
TOTAL	48	112	697	857

Note: *Cat 1 – Defects requiring immediate action.*

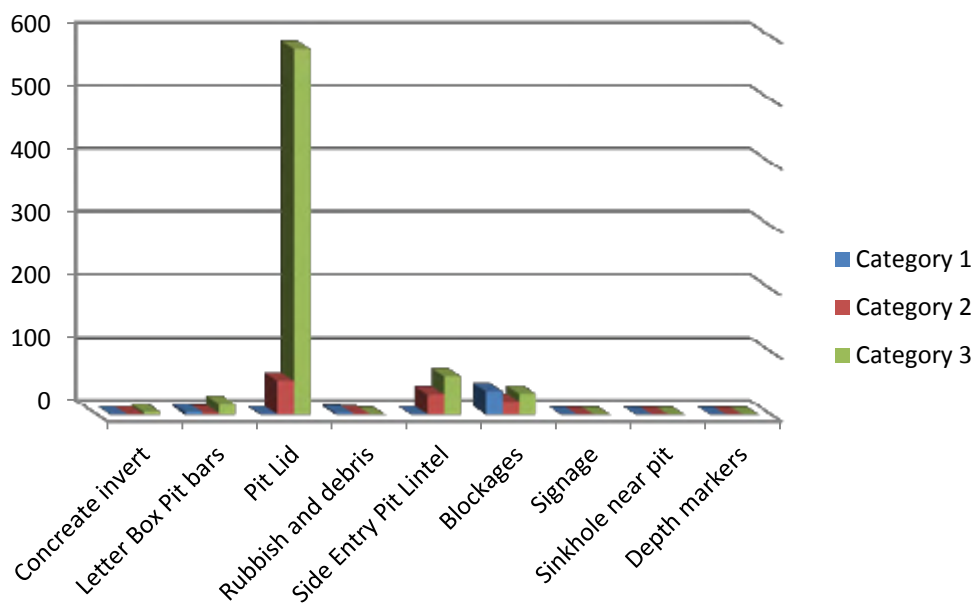
Cat 2 – Defects not posing immediate hazards to users but need to be monitored if they escalate to the Category 1.

Cat 3 – Safe and fit for purpose

Graph 1: Summary of non-secured stormwater drain inspection reports suburb wise



Graph 2: Summary of non-secured stormwater drain inspection defects type



Note: **Cat 1** – Defects requiring immediate action.

Cat 2 – Defects not posing immediate hazards to users but need to be monitored if they escalate to the Category 1.

Cat 3 – Safe and fit for purpose

Road Inspections

Road inspections have been completed in Moulden, Driver, Bakewell, Gray, Durack, and Durack heights, Rosebery, Woodroffe, Gunn and the CBD suburbs

Table 3: Summary of road inspections by suburb

ROADS	Category 1	Category 2	Category 3	TOTAL
Moulden	5	5	2	12
Bakewell	3	3	1	7
CBD	1	3	1	5
Driver	2	4	4	10
Durack	0	7	3	10
Durack heights	1	1	0	2
Gray	1	6	1	8
Gunn	2	1	0	3
Roseberry	5	1	2	8
Woodroffe	2	2	0	4
TOTAL	22	33	14	69

Note: **Cat 1** – Defects requiring immediate action.

Cat 2 – Defects not posing immediate hazards to users but need to be monitored if they escalate to the Category 1.

Cat 3 – Safe and fit for purpose

Table 4: Summary of road inspections by defect

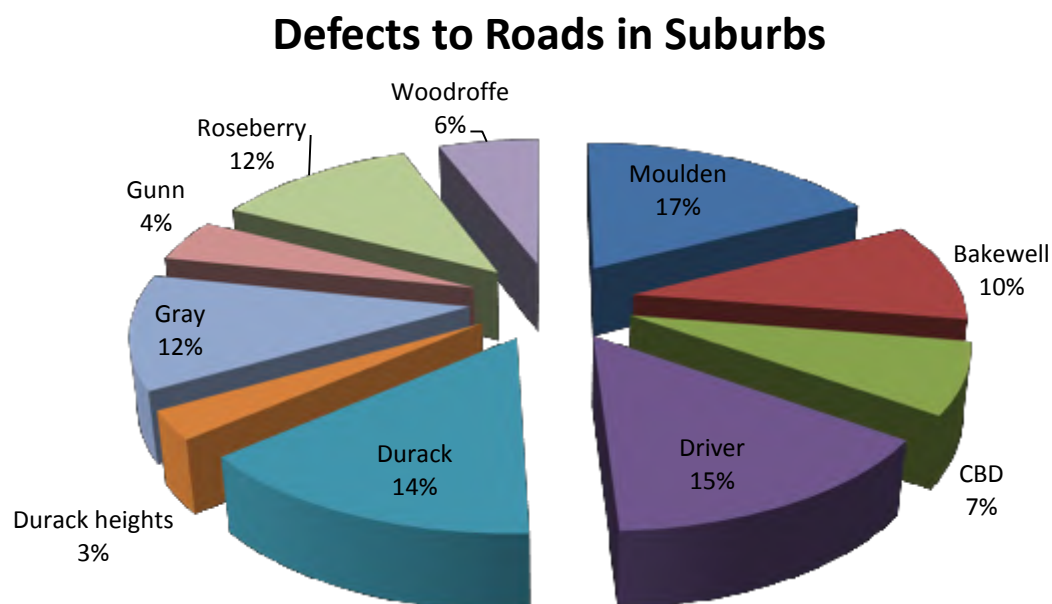
ROADS	Category 1	Category 2	Category 3	TOTAL
Bleeding or Flushing	0	0	2	2
Signage	5	1	0	6
Debris or Rubbish or loose materials	0	1	0	1
Cracking	0	3	1	4
Guidepost and Dilineators	0	1	0	1
Line Marking & RRPMS	0	0	0	0
Pot Holes	0	13	3	16
Wheel Ruts & Depressions	2	13	4	19
Edge Breaks	0	2	1	3
Kerbs and Gutters	11	3	3	17
TOTAL	18	37	14	69

Note: *Cat 1 – Defects requiring immediate action.*

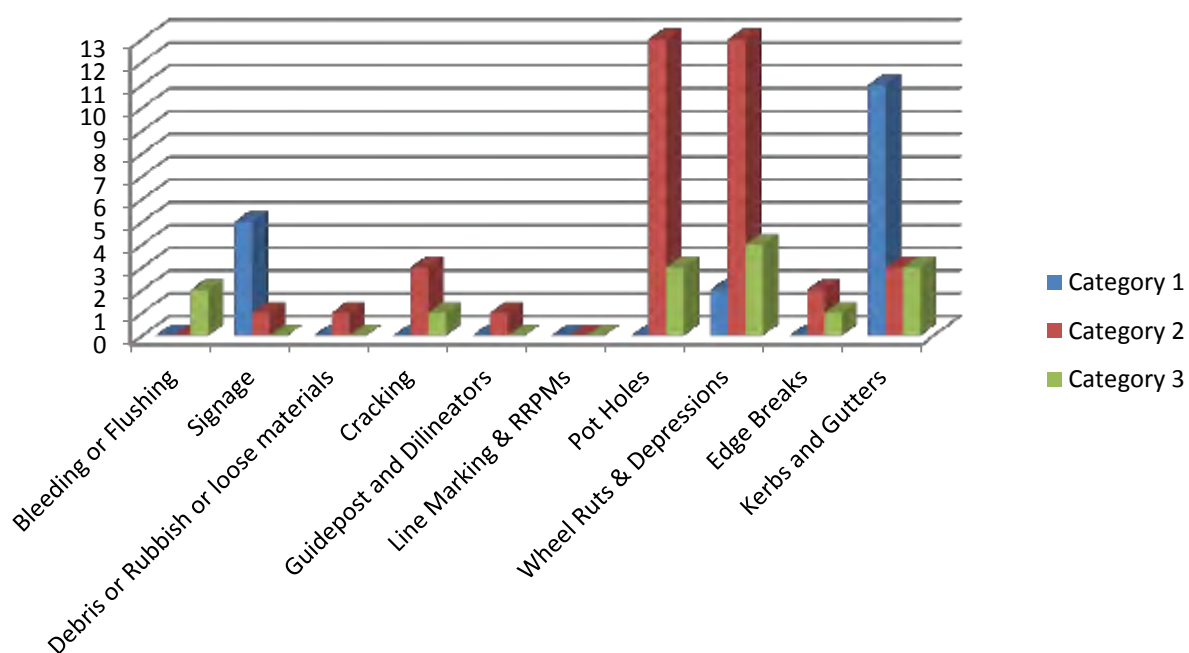
Cat 2 – Defects not posing immediate hazards to users but need to be monitored if they escalate to the Category 1.

Cat 3 – Safe and fit for purpose

Graph 3: Summary of road inspection reports by suburb



Graph 4: Summary of road inspection reports by defect type



Note: **Cat 1** – Defects requiring immediate action.
Cat 2 – Defects not posing immediate hazards to users but need to be monitored if they escalate to the Category 1.
Cat 3 – Safe and fit for purpose

Footpath Inspections

During this quarter, inspections of footpaths were carried out in Moulden, Driver, Bakewell, Gray, Durack, and Durack heights, Rosebery, Woodroffe, Gunn and the CBD suburbs

Table 5: Summary of road inspections by suburb

Footpaths	Category 1	Category 2	Category 3	TOTAL
Moulden	52	175	45	272
Bakewell	22	34	40	96
CBD	10	32	20	62
Driver	52	79	54	185
Durack	24	19	21	64
Durack heights	10	2	0	12
Gray	44	122	66	232
Gunn	5	25	46	76
Roseberry	15	28	56	99
Woodroffe	35	142	110	287
TOTAL	269	658	458	1385

Note: *Cat 1 – Defects requiring immediate action.*

Cat 2 – Defects not posing immediate hazards to users but need to be monitored if they escalate to the Category 1.

Cat 3 – Safe and fit for purpose

Table 6: Summary of road inspections by defect

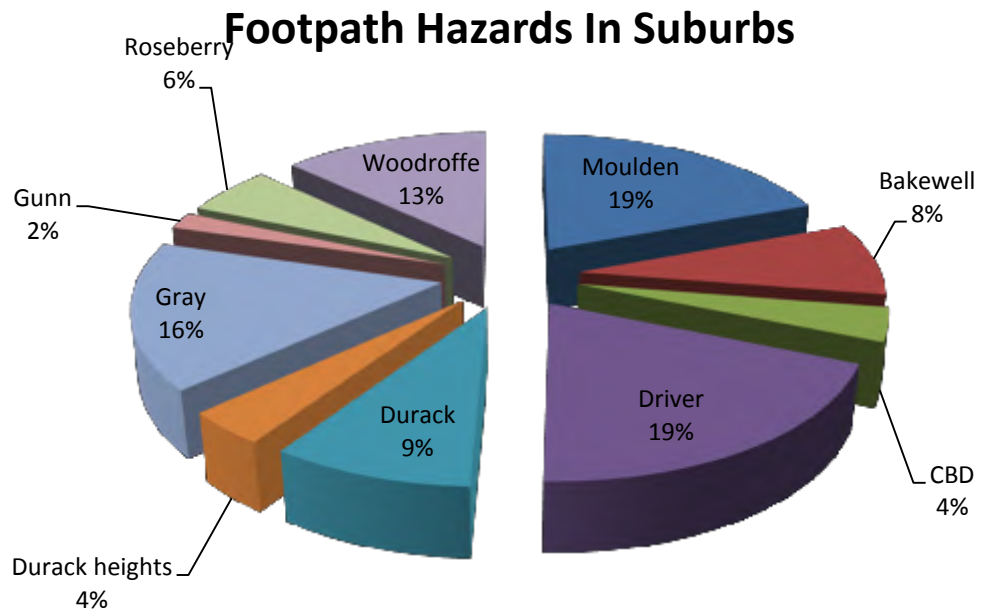
Footpaths	Category 1	Category 2	Category 3	TOTAL
Cracking	64	308	237	609
Trip Hazard	192	332	211	735
Edge Drop	12	18	10	40
Debris	1	0	0	1
Slippery surface	0	0	0	0
TOTAL	269	658	458	1385

Note: *Cat 1 – Defects requiring immediate action.*

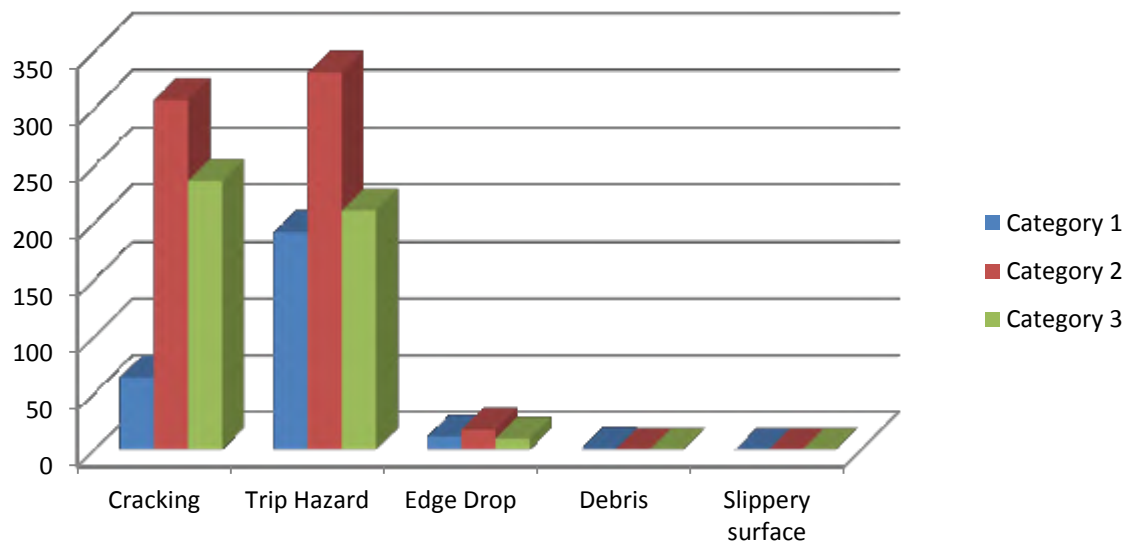
Cat 2 – Defects not posing immediate hazards to users but need to be monitored if they escalate to the Category 1.

Cat 3 – Safe and fit for purpose

Graph 6: Summary of footpath inspections report by suburb



Graph 7: Summary of footpath inspections report by defect type



Note: *Cat 1 – Defects requiring immediate action.*

Cat 2 – Defects not posing immediate hazards to users but need to be monitored if they escalate to the Category 1.

Cat 3 – Safe and fit for purpose

Report prepared by Asset Inspection Officer. Inspections conducted in accordance with the Risk Based Infrastructure Inspection Manual.

3.3 Waste

Kerbside Waste Collection and Recycling

- 2073.50 tonnes of domestic waste was recorded.
- 437.70 tonnes of recyclable waste was recorded.
- There were 131 requests for new bin services.
- 43 stolen bins reported and replaced.
- 183 damaged bins repaired or replaced.
- 128 requests received of bins not being cleared on their scheduled days
Note: On most instances trucks were organised to go back to clear missed bins on the same day or the next business day.
- 3 properties request their General Waste Bin to be upgrade to a 240L.

Hard and Green Waste Facilities

Breakup recorded

- 9.44 tonnes of paper/cardboard.
- 112.92 tonnes of steel/metal.
- 14.3 tonnes of batteries.
- 0.13 tonnes of aluminium cans.
- 15 bins (240L) of clear glass.
- 14 bins (240L) of brown glass.
- 14 bins (240L) of green glass.
- 18 bins (240L) of plastic containers.
- 18 bins (240L) of small electronics.
- 2500 litres of oil.
- 162 litres of paint.

Green Waste

- Breakup recorded
 - 792m³ of mulch was sold during the reporting period.

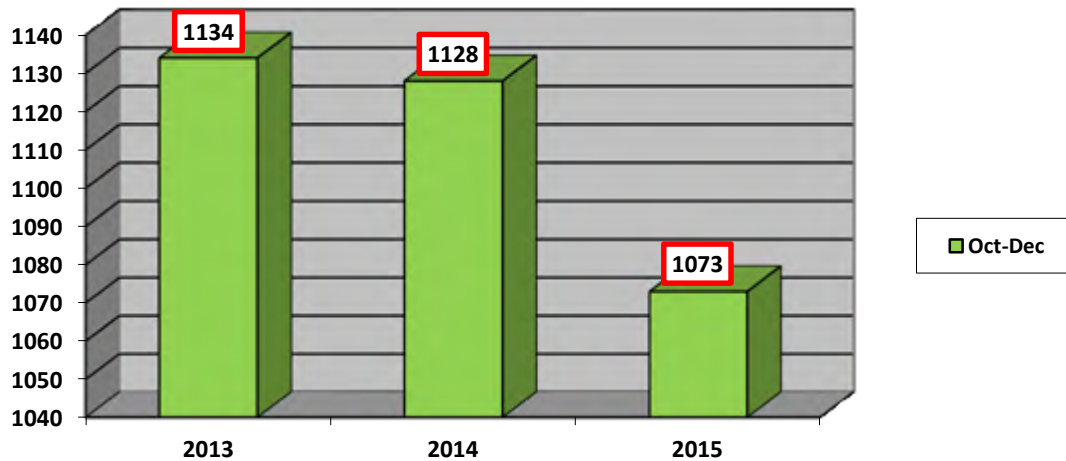
GOVERNANCE & ORGANISATION

4.1 Service

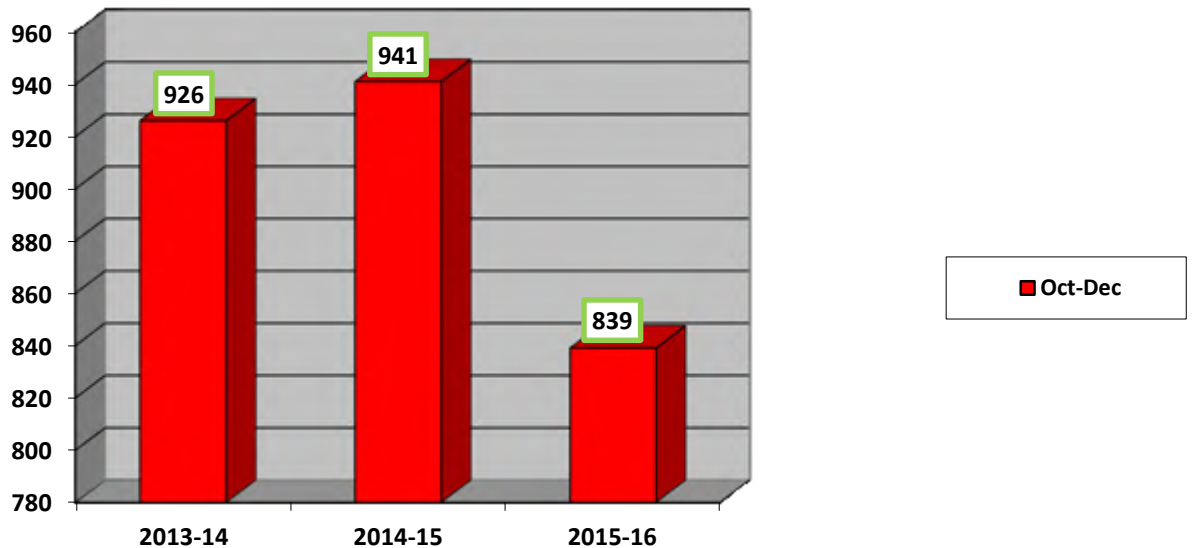
Customer Service Standards

A total of 1073 requests/complaints were received within Technical Services and recorded in NAV throughout the reporting period. *These figures do not include all general phone call enquiries received by staff or requests/complaints recorded in InfoXpert.*

**Total Number of Customer Action Requests Recorded
October to December**



**Total Number of Instructions to Contractors issued
October to December**



4.2 People

Technical Services Human Resources and Workforce Development

- Number of staff members who are currently undertaking work related study.

Nothing to report

- Number of staff who attended training and what course.
 - A Ranger Service Officer attended the Australian Institute of Animal Management training and workshops in Townsville in October.
 - A staff member attended the Inaugural Municipal Services Conference in Alice Springs on 7th & 8th October 2015.
 - One staff member completed a two day course on Plan Erosion and Sediment Control Measures, provided by O2 Environmental on the 16th and 17th November 2015.
 - Six staff members attended Microsoft Excel 2010 Level 2 training provided by CDU on 20 November 2015.
 - A staff member from the Technical Services team attended a two day Road Safety Audit course in Brisbane in November 2015.
 - Two staff members attended a two day course on Traffic Management Work Zone 3 & 4, provided by CDU in December 2015.
- Number of staff members employed/resigned during the period.
 - We had a university student commence their work placement with us on the 24th August, filling in the position of the Asset Inspection Officer. This placement finished on 9 October 2015.
 - The Ranger Services Administration Trainee Officer commenced on 5 October 2015.
 - Our Environment/Climate Change Strategic Planner completed their contract with the City of Palmerston on 13 November 2015.
 - The second Asset Inspection Officer role was filled and the new staff member commenced on 16 November 2015.
 - A Ranger Services Officer resigned during this period, finishing on the 27 November 2015.

Financial Implications:

Nil

Legislation / Policy:

Nil

RECOMMENDATION

THAT Council receives Report Number 8/0811.

Recommending Officer: Jeetendra Dahal, Acting Director of Technical Services.

Any queries on this report may be directed to Jeetendra Dahal, Acting Director of Technical Services on (08) 8935 9952 or email jeetendra.dahal@palmerston.nt.gov.au

Schedule of Attachments:

Nil

ITEM NO. 13.1.1 Discharge of Statutory Charge

FROM: Director of Corporate and Community Services

REPORT NUMBER: 8/0812

MEETING DATE: 2 February 2016

Municipal Plan:

4. Governance & Organisation

4.1 Responsibility

4.1 We are committed to corporate and social responsibility, the sustainability of Council assets and services, and the effective planning and reporting of Council performance to the community

Summary:

At the Council meeting held on 1 April 2014, Council approved to send assessment 111070 into the process of power of sale of land for non-payment of rates under the Northern Territory Local Government Act. The owner has satisfied the liability to which the charge relates and Council must apply to cancel the registration of the statutory charge on the title under Section 171 (5) of the Local Government Act.

Background:

Part 11.9 Recovery of rates

Division 3 Overriding statutory charge

171 Registration of charge

- (4) A registration authority must cancel registration of a charge if the council applies for the cancellation.
- (5) The council must apply for cancellation if the liability to which the charge relates is fully satisfied, and may apply for cancellation for any other reason.

General:

The residential property of assessment number 111070 has had a registered statutory charge on the title since April 2014. Since then the owner has paid the overdue amounts and continues to make regular repayments against the remainder of instalments not yet due.

Under Section 171 (5) of the Local Government Act, Council must apply for cancellation if the liability to which the charge relates is fully satisfied.

Financial Implications:

Cost for the application to discharging the statutory charge on the title will be charged onto the rates account and will not be at any cost to Council.

Policy Legislation:

Local Government Act Part 11.9, Division 3, Section 171.

RECOMMENDATION

1. THAT Council receives Report Number 8/0812.
2. THAT the Mayor and Chief Executive Officer be authorised to sign and seal the application to discharge statutory charges on assessment 111070.

Recommending Officer: Ben Dornier, Director of Corporate and Community Services

Any queries on this report may be directed to Ben Dornier, Director of Corporate and Community Services on telephone (08) 8935 9922 or email ben.dornier@palmerston.nt.gov.au.

Author: Silke Reinhardt, Finance Manager

Schedule of Attachments:

Nil

ITEM NO. 13.1.2 **Appointment of Chair to the Committees of Council 2016/17**

FROM: Chief Executive Officer

REPORT NUMBER: 8/0813

MEETING DATE: 2 February 2016

Municipal Plan:

4. Governance & Organisation

4.2 Service

We value and encourage participation in Council activities by the community, and are committed to delivering the highest possible levels of service and community engagement

Summary:

This report provides Council with a list of nominees to the position of Chair for the; Community, Culture and Environment Committee, Governance and Organisation Committee and Economic Development and Infrastructure Committee.

Background:

In accordance with Council Policy 'MEE02 – Committees of Council' Expressions of Interest were called on 1 December 2015, inviting Elected Members to nominate for the position of Chair. Expressions of Interest closed 12 January 2016, during that time the following nominations were received:-

Community, Culture and Environment

Deputy Mayor Sue McKinnon

Governance and Organisation

Nil

Economic Development and Infrastructure

Alderman Paul Bunker

General:

Council is asked to consider that Deputy Mayor McKinnon be appointed as Chairperson to the Community, Culture and Environment Committee and Alderman Bunker be appointed as Chairperson to the Economic Development and Infrastructure Committee.

Nominations for Chairperson to the Governance and Organisation Committee will take place during the Council meeting held on 2 February 2016.

Financial Implications:

Nil

Policy / Legislation:

Council Policy – MEE02 Committees of Council
Local Government Act - Section 64(1)(b)

RECOMMENDATION

1. THAT Council receives Report Number 8/0813.
2. THAT Deputy Mayor McKinnon be appointed as Chair to the Community, Culture and Environment Committee for a 12 month term, taking effect on 18 February 2016.
3. THAT Alderman Bunker be appointed as Chair to the Economic Development and Infrastructure Committee for a 12 month term, taking effect on 18 February 2016.
4. THAT _____ be appointed as Chair to the Governance and Organisation Committee for a 12 month term, taking effect on 18 February 2016.

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.

Schedule of Attachments:

Nil

ITEM NO. 13.1.3 **City of Palmerston By-Election 2015**

FROM: Chief Executive Officer

REPORT NUMBER: 8/0814

MEETING DATE: 2 February 2016

Municipal Plan:

4. Governance & Organisation

4.1 Responsibility

We are committed to corporate and social responsibility, the sustainability of Council assets and services, and the effective planning and reporting of Council performance to the community

Summary:

The Northern Territory Electoral Commission (NTEC) has provided Council with a report on the City of Palmerston By-Election held on 31 October 2015 and is seeking Council's position in relation to engaging the NTEC to send out infringement notices to those people who failed to vote.

Background:

The NTEC has advised the final expenditure for the by-election was \$96,757.67 (GST inclusive) which was a saving of approximately \$5,000 from the original estimate.

Only 10,527 electors voted (55%) out of the total eligible voters of 19,133 which is well down on the 2013 by-election where there was a voter participation rate of 61.1%.

The NTEC has indicated that approximately 7,800 non-voters were identified as failing to vote in the by-election (although the numbers above would indicate that 8,606 failed to vote (19,133 – 10,527 = 8,606).

General:

Traditionally, the City of Palmerston has not pursued the issue of infringement notices for non-voters at elections or by-elections.

Section 90 (3) of the Local Government Act provides:-

- *An elector who fails to vote at an election or poll is guilty of an offence.
Maximum penalty: 1 penalty unit.*

For the 2015/2016 financial year, the Penalty Units Act lists 1 penalty unit as being \$153. The NTEC are offering to send out \$50 infringement notices on behalf of council, however a recent discussion with the Electoral Commissioner, Mr Iain Loganathan indicated there is only a 3 month period for the notices to be forwarded and it is now too late for this to be taken up.

The NTEC has indicated that it will be writing to all non-voters advising of their legislative requirement to vote and that future non-compliance will result in infringement notices being forwarded.

Financial Implications:

Council will incur additional costs (approximately \$43,000 based on the Darwin By-Election) should it seek to forward non-voters infringement notices. It is also difficult to predict how many people will pay these notices and the further costs that may be incurred if non-voters are taken to court.

Council would need to receive payment for 860 infringement notices to break even, based on the above estimate.

Legislation / Policy:

- Part 8.4 of the Local Government Act;
- Local Government (Electoral) Regulations
-

RECOMMENDATION

1. THAT Council receives Report Number 8/0814.
2. THAT the Chief Executive Officer complete the Election Evaluation Form
3. THAT Council inform the Northern Territory Electoral Commission that it will not be pursuing the issuing of infringement notices to those registered voters who failed to vote in the City of Palmerston By-Election held on 31 October 2015.

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.

Schedule of Attachments:

Attachment A: Correspondence received from the Northern Territory Electoral Commission dated 22 December 2015

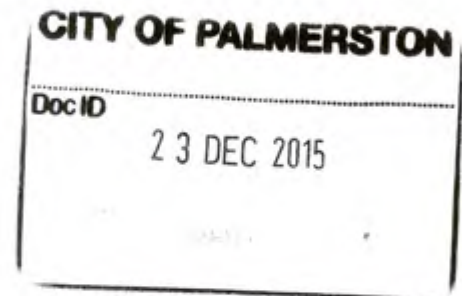


**NORTHERN
TERRITORY
ELECTORAL
COMMISSION**

3rd Floor, TCG Centre | 80 Mitchell Street, Darwin | GPO Box 2419, Darwin NT 0801
T 08 8999 5000 | F 08 8999 7630 | E ntec@nt.gov.au | ABN 8408 5734 992

Chief Executive Officer
City of Palmerston
P O Box 1
PALMERSTON NT 0831

Attention: Mr Ricki Bruhn



CITY OF PALMERSTON BY-ELECTION 2015

Dear Ricki

In review of the recent City Of Palmerston By-election, held 31 October 2015, we have attached the following for your perusal/action.

1. Election Report and Appendices
2. Election Evaluation Form

The Election report provides a brief overview of the process in which the election was undertaken.

It would be appreciated, at your earliest convenience if you could please complete the election evaluation form. This will assist us in improving our services for future elections. A reply paid envelope has been included.

There were approximately 7800 non-voters identified as failing to vote in the by-election. The NTEC's role is to extend our service of sending infringement notices upon instruction from Council. Please advise me if you wish to take up this service.

I would like to extend my thanks for the support from Caroline and yourself throughout the by-election.

If you have any queries, please don't hesitate to contact me on 89997622.

Yours sincerely

PETER BURGESS
Director, Operations
22 December 2015



**NORTHERN
TERRITORY
ELECTORAL
COMMISSION**
EVERY vote counts!

**CITY OF PALMERSTON
COUNCIL BY-ELECTION**
Voting is Compulsory **31 OCT 2015**

**CITY OF PALMERSTON
COUNCIL BY-ELECTION
31 OCTOBER 2015**

REPORT

DARWIN

Level 3 | TCG Centre
80 Mitchell St
GPO Box 2419 | Darwin NT 0801
PH: 08 8999 5000
FX: 08 8999 7630

ALICE SPRINGS

MyVote Central
Yeperenye Centre | Hartley St
PO Box 2304 | Alice Springs NT 0871
PH: 08 8951 5971
FX: 08 8952 4216

ABN: 84 085 734 992

EMAIL: ntec@nt.gov.au

WEB: ntec.nt.gov.au

1800 MyVote | 1800 698 683

CONTENTS

Background to the By-election	1
1. Executive Summary	2
2. Enrolment and Roll Services	3
2.1 Enrolment program	3
2.2 Close of electoral roll.....	3
3. Public Awareness	3
3.1 Public notices	3
3.2 Information and publicity.....	3
3.3 Election bulletins.....	4
3.4 Website	4
4. Election Management	4
4.1 Nominations	4
4.2 Ballot paper printing	4
4.3 Early Voting Centres (EVCs).....	4
4.4 Postal voting	5
4.5 Mobile polling	5
4.6 Static polling	5
4.7 Election costs	6
5. Election outcomes	7
5.1 Results	7
5.2 Participation	7
5.3 Informality	7
Appendix A - Election Timetable	8
Appendix B - Public Notices	9
Appendix C - Media Releases	10
Appendix D - Results	12

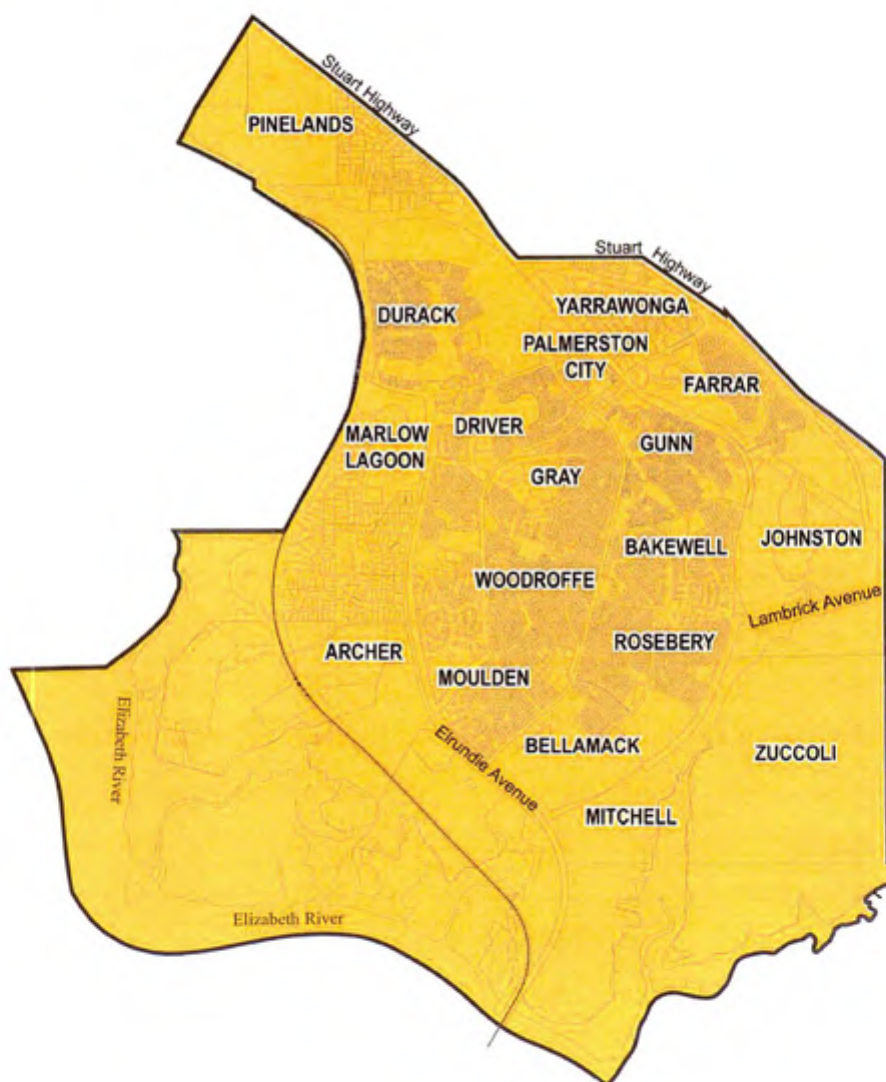
Background to the by-election

Mr Ricki Bruhn, Chief Executive Officer (CEO), City of Palmerston, advised the Northern Territory Electoral Commission (NTEC) on 19 August 2015, of a vacancy of one Alderman at the City of Palmerston.

The Electoral Commissioner determined the election to be held on 31 October 2015, and appointed Ms Susan Whyte, as Deputy Returning Officer.

The election timetable was approved on 31 August 2015 by the Electoral Commissioner with concurrence from the CEO of the City of Palmerston.

See Appendix A for the election timetable.



1. Executive Summary

Following the announcement of the resignation of the City of Palmerston Alderman, Heather Malone, the by-election to fill the vacancy was announced on 9 October 2015 with polling day timetabled for Saturday 31 October 2015.

A meeting was held with the City of Palmerston to discuss the level of service to be provided; including the identification of potential cost savings by utilising Council resources. It was agreed the Council would provide the Alderman Meeting Room at the Civic Centre to issue early votes.

The statutory public notice was issued that reminded eligible electors to update their enrolment between 9 October and 13 October 2015. This provided a limited period for electors to ensure they were enrolled and resulted in a minimal increase to the electoral roll of only 0.03%.

In late September 2015, the NTEC conducted a targeted mail-out to 1700 addresses in the Palmerston Council area where no one was enrolled. The mail-out reminded all eligible electors to update their enrolment details on-line via the NTEC website. As a result of the strategy only 10% of eligible electors completed an enrolment transaction i.e. 175 of the 1700 addresses targeted.

This enrolment stimulation strategy was outside the scope of agreed costs of the by-election and the expenditure of \$2380 was borne by the NTEC.

Turnout at the by-election was down compared to the 2013 City of Palmerston by-election, even with the additional efforts to encourage participation undertaken by the NTEC. This included supplementary advertising by way of a mail-out to all enrolled electors within the Council area and dedicated election information pages on the NTEC website.

Recent amendments to Local Government Electoral Regulations that allows all electors to vote early, prompted extensive early voting messaging by way of banner signage, direct emailing and media releases.

Although it is pleasing to note the increase in voters taking advantage of casting their vote early it did not contribute towards an increase in the overall participation rate. A review of where early voting centres are located in the future may be required to ensure easily accessible locations are utilised in the vicinity of the general business centre.

Informality rose compared to the number of informal votes cast at the 2013 City of Palmerston by-election. Subsequent research of the ballot papers undertaken by the NTEC indicated that this was largely due to the elector seemingly choosing to deliberately vote informal.

Improved efficiencies and reduced staffing expenses contributed to the overall costs for the by-election being less than the estimate provided to Council.

2. Enrolment and Roll Services

2.1 Enrolment program

In late September 2015, the NTEC conducted a targeted mail-out to 1700 addresses in the Palmerston Council area where no one was enrolled. The mail-out reminded all eligible electors to update their enrolment details on-line via the NTEC website. As a result of the strategy only 10% of eligible electors completed an enrolment transaction i.e. 175 of the 1700 addresses targeted.

This enrolment stimulation strategy was outside the scope of agreed costs of the by-election and the expenditure of \$2380 was borne by the NTEC.

2.2 Close of electoral roll

The electoral roll closed at 5:00pm on Wednesday 13 October 2015, with the Australian Electoral Commission (AEC) providing the final certified roll on Thursday 14 October 2015.

There were a total of 19 133 eligible electors enrolled to vote for this by-election which was an increase of 2380 electors when compared to the by-election held on 26 October 2013.

Enrolment increased by only 0.03% during the period from the announcement to the close of electoral roll and it is evident that only placing a public notice in the NT News is not effective in calling eligible electors to action and that additional advertising strategies should be explored, particularly considering the under enrolment in the council area.

3. Public Awareness

3.1 Public notices

Statutory notices for nominations, close of roll and voting services (early voting, postal voting, mobile polling and static polling place locations) were placed in the NT News. All advertising displayed the call centre number 1800 MY VOTE and the NTEC website. See Appendix B for all public notices.

3.2 Information and publicity

Three posters were produced for distribution and an information stand (Stand Man) was located at the Palmerston shopping centre. A total of seven media releases were also distributed to key media contacts and all candidates, advising of the various stages of the by-election. See appendix C for all media releases issued.

A letter, advising of relevant voting information including early voting centre locations and polling place locations, was mailed to each elector with a deliverable mailing address on 19 October 2015

An email, advising of the location of early voting centres and a list of polling places, was sent on Monday 26 October 2015. The email was relayed to a total of 6389 electors who had supplied an email address on their electoral enrolment form. Compulsory voting was also stipulated in the messaging.

3.3 Election bulletins

Two election bulletins were produced and sent to relevant stakeholders and all candidates for the election. The bulletins contained important information on pre and post-election day activities that contributed to the successful conduct of the election. The bulletins were sent on Friday 16 October and Tuesday 27 October 2015.

3.4 Website

The NTEC website contained dedicated by-election information pages and was the central point for conveying important election messages. Information contained on the by-election pages included the election timetable, information for candidates, early, postal and mobile polling information, polling day locations and final results.

4. Election Management

4.1 Nominations

Nominations for the vacant Alderman position opened on Friday 9 October 2015 and closed at 12 noon on Thursday 15 October 2015.

The eligibility of candidates and nominators was verified by the Deputy Returning Officer and the number of nominations accepted exceeded the number of vacancies; therefore, an election was required.

The following nominations were accepted:

- Roger John ELFENBEIN
- Geoffrey HERROD
- Margy KERLE
- Gregory KNOWLES
- Athina PASCOE-BELL

The Declaration of Nominations was held at 1:00pm on Thursday 15 October 2015 at the NTEC office in Darwin and a draw by lot was conducted to determine the order in which the candidates' names would appear on the ballot paper.

4.2 Ballot paper printing

The contract for the printing of ballot papers was awarded to Colemans Printing Pty Ltd. All ballot paper products were despatched and received at early voting centres and polling places in a timely manner.

4.3 Early Voting Centres (EVCs)

Early voting commenced on Friday 16 October and continued until 5:00pm on Friday 30 October 2015 at the Palmerston Civic Centre, the NTEC office in Darwin and MyVote Central in Alice Springs.

Early votes taken at each centre:

LOCATION	EARLY VOTES TAKEN
Civic Centre – Palmerston	2 336
NTEC – Darwin	174
MyVote Central – Alice Springs	9
TOTAL	2 519

4.4 Postal voting

The despatch of postal votes commenced on Friday 16 October 2015 and closed at 6:00pm on Thursday 29 October 2015. A total of 720 postal votes were issued to electors with 440 returned and admitted to the count.

4.5 Mobile polling

Two mobile polling locations were appointed to meet the needs of electors confined to hospital. Polling was conducted by one mobile polling team on Thursday 29 October at Darwin Private Hospital and Friday 30 October 2015 at the Royal Darwin Hospital. A total of 13 votes were taken.

Mobile polling team schedule:

LOCATION	DATE	POLLING TIME
Darwin Private Hospital	Thu 29 October 2015	9:00am until 11:00am
Royal Darwin Hospital	Fri 30 October 2015	9:00am until 12:30pm

4.6 Static polling

Six static polling places were situated at the following locations on Saturday 31 October 2015 and open from 8:00am to 6:00pm.

- Bakewell Primary School
- Driver Primary School
- Durack Primary School
- Mackillop Catholic College, Johnston
- Rosebery Middle School
- Sacred Heart Primary School, Woodroffe

A total of 32 staff were employed in the six polling places on Saturday 31 October 2015. Two staff were employed in the Palmerston early voting centre and NTEC staff members were utilised for the early voting centres in Darwin and Alice Springs and for the mobile polling team.

Electronic mark-off

Electronic certified list (electoral roll) mark-off was trialled during the election at all issuing points at the early voting centres and in each of the six static polling places.

The process of identifying voter details was significantly faster via the electronic mark-off and contributed towards an improved voter flow at each polling place. The application also provided an improved management tool for NTEC staff located in Darwin by allowing virtual management of polling places.

4.7 Election costs

A meeting was held with the City of Palmerston to discuss the level of service to be provided; including the identification of potential cost savings by utilising Council resources. It was agreed the Council would provide the Alderman Meeting Room at the Civic Centre to issue early votes.

The following is a breakdown from the estimate to the actual costs.

Total Estimate: \$101 693.55

ITEM	ACTUAL COST	
Static staffing and hire expenses	\$	29 067.30
Fuel: Office vehicle - Mobile polling	\$	116.09
Urban mobile staff	\$	739.50
Early voting centre staff	\$	8 767.12
Casual staff	\$	2 664.55
Overtime	\$	4 826.77
Office vehicle	\$	272.73
Forms and printing	\$	3 663.64
Mail-out costs	\$	19 970.00
Postage	\$	924.00
Public awareness	\$	5 476.58
<hr/>		
SUB TOTAL	\$	76 488.28
<hr/>		
	15% \$	11 473.24
<hr/>		
SUB TOTAL	\$	87 961.52
<hr/>		
	10% \$	8 796.15
<hr/>		
TOTAL	\$	96 757.67

The final expenditure of \$96 757.67 resulted in a saving of approximately \$5000 from the original estimate. This saving was contributed to reduced staffing costs.

5. Election outcomes

5.1 Results

All results from polling places were telephoned through to the NTEC office and uploaded to the election website by 8:00pm on Saturday 31 October 2015.

First preference votes received by each candidate:

Geoffrey HERROD	1 329
Gregory KNOWLES	595
Roger John ELFENBEIN	2 094
Margy KERLE	1 915
Athina PASCOE-BELL	3 466

The quota of votes required for this election was 4700.

Following the distribution of preferences and in accordance with Schedule 1 of the Local Government (*Electoral*) Regulations, Athina PASCOE-BELL received the quota at count four.

Candidate Athina Pascoe-Bell was therefore declared duly elected at a ceremony conducted in Darwin in accordance with regulation 56 of the Local Government (*Electoral*) Regulations at 3:00pm on Friday 6 November 2015.

See Appendix D for the first preference votes and the distribution of preferences.

5.2 Participation

Voter participation for this event was lower than that of the previous City of Palmerston by-election conducted on 26 October 2013.

There were 19 133 eligible electors enrolled to vote for this by-election which was an increase of 2380 electors when compared to the by-election in 2013; however, only 10 527 (55%) electors voted in this by-election compared to a 61.1% voter participation rate in the 2013 event.

Of the 10 527 electors who voted, 72.0% attended a static polling place and 28.0% cast their vote early.

5.3 Informality

Informality rose compared to the number of informal votes cast at the 2013 City of Palmerston by-election. The percentage of informal votes cast in this by-election was 10.7%, an increase of 1.3% from the 9.4% informal rate at the by-election held in 2013.

As with most by-elections conducted, voters continually express their concerns about not being informed of who their candidates are and this translates into a large percentage of voters casting intentional informal votes. This is further supported by the high number of blank ballot papers deemed as informal.

Appendix A

**City of Palmerston By-election
31 October 2015
TIMETABLE**

DATE	TIME	
Friday 9 October		Nominations open
Tuesday 13 October	5:00 pm	Close of electoral roll
Thursday 15 October	12 noon	Close of nominations
	1:00 pm	Declaration of nominations, draw for position on ballot papers
Friday 16 October		Postal vote mail-out commences
	8:00 am	Early voting commences
Monday 19 October	9:00 am	Mobile polling commences
Tuesday 27 October	6:00 pm	Overseas postal voting dispatches cease
Thursday 29 October	6:00 pm	All postal voting dispatches cease
Friday 30 October	5:00 pm	Early voting ceases
Saturday 31 October		Polling day
	8:00 am	Static polling commences
	6:00 pm	Static polling ceases
		Mobile polling ceases
		Primary counts of ordinary votes in static polling places commence
		Preliminary scrutiny, primary counts of postal and early votes commence
Monday 2 November	9:00 am	Declaration vote verification checks, commence recheck of all counts
Thursday 5 November	9:00 am	Primary counts of accepted declaration votes, further postal counts
Friday 6 November	12 noon	Deadline for receipt of postal votes
		Final counts of postal votes commence
		Distribution of preferences
	3:00 pm	Declaration of the election result

Appendix B

ELECTORAL NOTICE

NORTHERN TERRITORY ELECTORAL COMMISSION
EVERY VOTE COUNTS

COUNCIL BY-ELECTION
Correct Enrolment and Voting is Compulsory

Roll Close 5:00 pm Tuesday 13 October

City of Palmerston
Alderman (1 vacancy)

Nominations Close 12 noon Thursday 15 October

Close of Roll Enrol Online - www.aec.gov.au/enrol

The roll for the by-election will close at **5:00 pm SHARP Tuesday 13 October 2015**. You can complete your enrolment online at www.aec.gov.au/enrol. Hard copy forms are available from the City of Palmerston council office, NTEC offices or your local post office.

How do I nominate?

In order to nominate, you must be enrolled as an elector at an address within the City of Palmerston council boundary. The nomination form and candidate handbook are available from the NTEC website (www.ntec.nt.gov.au), the City of Palmerston council office and NTEC offices.

City of Palmerston Civic Plaza, First Floor 2 Chung Wah Terrace	NTEC Darwin Level 3, TCG Centre, 80 Mitchell Street
--	--

When do nominations close?

Nominations are invited for the above member position and must be received by the Returning Officer, Sue Whyte - susan.whyte@nt.gov.au, at the NTEC Darwin office no later than **12:00 noon SHARP Thursday 15 October 2015**.

www.ntec.nt.gov.au 1800 MYVOTE 698683

For further information Contact Sue Whyte - susan.whyte@nt.gov.au

AUTHORISED BY IAN LOGANATHAN, NORTHERN TERRITORY ELECTORAL COMMISSION, 80 MITCHELL ST, DARWIN

ELECTION NOTICE

NORTHERN TERRITORY ELECTORAL COMMISSION
EVERY VOTE COUNTS

CITY OF PALMERSTON COUNCIL BY-ELECTION
Voting is Compulsory **31 OCT 2015**

Alderman (1 vacancy)

VOTE EARLY NOW
ALL VOTERS CAN VOTE EARLY AT THE FOLLOWING LOCATIONS:

CITY OF PALMERSTON
Civic Plaza, 2 Chung Wah Tee, Palmerston (1st floor, Alderman Room)

DATES/TIMES
Fri 16 Oct to Fri 30 Oct: 8:15 am – 5:00 pm (weekdays)

NT ELECTORAL COMMISSION
Level 3, TCG Centre, 80 Mitchell Street, Darwin

DATES/TIMES: Fri 16 Oct to Fri 30 Oct: 8:00 am – 5:00 pm (weekdays)

Postal Voting - Apply online now at www.ntec.nt.gov.au

Mobile Polling
Mobile polling is on **Thursday and Friday 29 - 30 October 2015** at the following locations:

Darwin Private Hospital - Thursday 29 October 2015 - 9:00 am - 11:00 am
Royal Darwin Hospital - Friday 30 October 2015 - 9:00 am - 12:30 pm (*Note: listed times may vary)

For further information contact Sue Whyte - susan.whyte@nt.gov.au - at the Northern Territory Electoral Commission
Authorised by Ian Loganathan
Northern Territory Electoral Commission
80 Mitchell Street, Darwin

1800 MYVOTE or visit www.ntec.nt.gov.au 698683

ELECTORAL NOTICE

City of Palmerston

VOTE TODAY

Voters enrolled in the
City of Palmerston council boundary
MUST vote in this by-election

For further information call **1800 MYVOTE** or visit www.ntec.nt.gov.au
698683

VOTING IS COMPULSORY

NORTHERN TERRITORY ELECTORAL COMMISSION
EVERY VOTE COUNTS

CITY OF PALMERSTON

POLLING PLACES OPEN 8:00 am - 6:00 pm

BAKEWELL Primary School 5 Hutchinson Tce	JOHNSTON MacKillop Catholic College 285 Farrar Blvd
DRIVER Primary School Driver Ave	ROSEBERY Middle School cnr Belyuen Rd & Forrest Pde
DURACK Primary School 50 Woodlake Blvd	WOODROFFE Sacred Heart Primary School 34 Emery Ave

KEY
 Full wheelchair access
 Wheelchair assisted access

Authorised by Ian Loganathan, Northern Territory Electoral Commission, 80 Mitchell Street, Darwin

Appendix C



NORTHERN TERRITORY ELECTORAL COMMISSION
EVERY VOTE COUNTS

COUNCIL BY-ELECTION

Voting is Compulsory

Media Release

1 October 2015

MISSING PALMERSTON VOTERS

The NT Electoral Commissioner, Iain Loganathan, is concerned that many Palmerston voters are not correctly enrolled for the upcoming City of Palmerston By-election on Saturday 31 October 2015.

Mr Loganathan said 'There are currently over 1700 properties in Palmerston where no one is enrolled. A notice has been sent to these addresses asking residents to enrol online. All Palmerston voters need to ensure they are correctly enrolled by **Tuesday 12 October 2015**. It only takes 5 minutes and you can even complete your enrolment using your mobile phone or tablet.'


All eligible voters living in the Palmerston council area who need to enrol or update their details can do so quickly and easily by going online at www.etc.gov.au/enrol.

You can also pick up an enrolment form from the City of Palmerston council office, the NT Electoral Commission office in Darwin, your local post office or download one from the website at www.ntec.gov.au.

For further information on the by-election visit www.ntec.nt.gov.au or call 1800 MYVOTE.

Media Contact: Sue Ward Phone: 08 8999 7635

www.ntec.nt.gov.au EVERY VOTE COUNTS



NORTHERN TERRITORY ELECTORAL COMMISSION
EVERY VOTE COUNTS

COUNCIL BY-ELECTION

Voting is Compulsory

Media Release

12 October 2015

CITY OF PALMERSTON BY-ELECTION CLOSE OF ROLL AND NOMINATIONS INVITED

The NT Electoral Commissioner, Mr Iain Loganathan, is encouraging Palmerston residents to ensure that they are on the electoral roll for the upcoming by-election in Palmerston.

Mr Loganathan said 'Many Palmerston voters are not on the electoral roll, with nearly one in seven residences not having an enrolled voter. With the electoral roll closing tomorrow for the City of Palmerston By-election, voters living in the Palmerston council area need to enrol online - it only takes a few minutes.'

Enrol Online - Roll Closes 5:00 pm Tuesday 13 October 2015

Any eligible person living in the City of Palmerston council area who needs to enrol or update their details can do so quickly and easily by going online at www.etc.gov.au/enrol. Enrolment forms are also available from the NTEC website (www.ntec.nt.gov.au), council offices, post offices and NTEC offices.

Nominations Invited

Nominations are invited to stand as a candidate for one Alderman vacancy in the City of Palmerston council by-election. Nominees must be enrolled at an address within the City of Palmerston council boundary and be nominated by at least three other persons who are eligible to vote at that by-election. Candidate information packs, including the nomination form and candidate handbook, are available from the NTEC website (www.ntec.nt.gov.au), the City of Palmerston council office and NTEC offices.

Nomination forms must be received by the NTEC by 12:00 noon SHARP Thursday 15 October 2015.

For further information or visit www.ntec.nt.gov.au or call 1800 MYVOTE.

Media Contact: Sue Ward Phone: 08 8999 7635

www.ntec.nt.gov.au EVERY VOTE COUNTS



NORTHERN TERRITORY ELECTORAL COMMISSION
EVERY VOTE COUNTS

COUNCIL BY-ELECTION

Voting is Compulsory

Media Release

16 October 2015

VOTE EARLY NOW CITY OF PALMERSTON BY-ELECTION

Early voting for the City of Palmerston By-election commenced Friday 16 October and continues until Friday 30 October. All voters enrolled in the City of Palmerston council area can cast an early vote at the City of Palmerston Council office or at the NTEC office in Darwin.

The NT Electoral Commissioner, Iain Loganathan, said 'It is more convenient for electors to vote before polling day on Saturday 31 October they can visit an early voting centre and vote early.'


All voters will be sent a letter from the Electoral Commission advising them of their voting options. Information is also available on the NTEC website www.ntec.nt.gov.au.

For further information or visit www.ntec.nt.gov.au or call 1800 MYVOTE.

Remember, voting is compulsory.

Media Contact: Sue Ward Phone: 08 8999 7635

www.ntec.nt.gov.au EVERY VOTE COUNTS



NORTHERN TERRITORY ELECTORAL COMMISSION
EVERY VOTE COUNTS

COUNCIL BY-ELECTION

Voting is Compulsory

Media Release

30 October 2015

CITY OF PALMERSTON BY-ELECTION POLLING PLACES OPEN THIS SATURDAY

The Northern Territory Electoral Commission (NTEC) advises that the City of Palmerston By-election will be held tomorrow, Saturday 31 October 2015.

Polling places will be open from 8:00 am - 6:00 pm at the following locations:

- Bakewell Primary School, 5 Hutchinson Terrace, Bakewell
- Driver Primary School, Driver Avenue, Driver
- Durack Primary School, 50 Woodlake Boulevard, Durack
- MacKillop Catholic College, 285 Farnes Boulevard, Johnston
- Rosebery Middle School, Cre Bilyoun Rd and Forest Parade, Rosebery
- Sacred Heart Primary School, 34 Emery Avenue, Woodroffe

Polling places will be advertised in this Saturday's NT News and are also advertised on posters in the Palmerston community and posted on the NTEC website.

Voting is compulsory for all electors who are enrolled in the City of Palmerston council area.


Polling Day Results

Following the close of the poll at 6:00 pm on Saturday, election results will be progressively posted on the NTEC website: City of Palmerston By-election - Results. For information regarding the Proportional Representation voting system (PR) please see Proportional Representation.

For further information visit www.ntec.nt.gov.au or call 1800 MYVOTE (1800 698 683).

Media Contact: Sue Ward Phone: 08 8999 7635

www.ntec.nt.gov.au EVERY VOTE COUNTS



NORTHERN TERRITORY ELECTORAL COMMISSION
EVERY VOTE COUNTS!

COUNCIL BY-ELECTION

Voting is Compulsory

Media Release
31 October 2015

**CITY OF PALMERSTON BY-ELECTION
PRELIMINARY RESULT**

The Northern Territory Electoral Commission (NTEC) advises polling for the City of Palmerston By-election closed at 6:00 pm today.

The result for the primary vote count has been completed and posted on the NTEC website (see attached).

The deadline for the receipt of postal ballot papers is 12:00 noon Friday 6 November 2015. The number of formal ballot papers is then finalised, the quota calculated and the distribution of preferences will then take place.


Further details will be provided regarding the declaration of the poll.

For information regarding the Proportional Representation voting system (PR) please see [Proportional Representation](#).

For further information visit www.ntec.nt.gov.au or call 1800 MYVOTE.

Media Contact: Sue Ward Phone: 08 8999 7635

www.ntec.nt.gov.au EVERY VOTE COUNTS!



NORTHERN TERRITORY ELECTORAL COMMISSION
EVERY VOTE COUNTS!

COUNCIL BY-ELECTION

Voting is Compulsory

Media Release
5 November 2015

**CITY OF PALMERSTON BY-ELECTION
DECLARATION OF THE ELECTION RESULT**

The Northern Territory Electoral Commission (NTEC) advises that the final count for the City of Palmerston By-election will take place after the deadline for receipt of postal votes at 12:00 noon on Friday 6 November 2015.

The official declaration of the election result is scheduled to take place at:

3:00 pm, Friday 6 November 2015
NTEC Head Office
Level 3, TCG Centre
80 Mitchell St Darwin

Candidates, members of the public and media are invited to attend.


At the declaration, candidates (or their representative) will be provided the opportunity to speak publicly once the formal announcements have concluded.

For information regarding the Proportional Representation voting system (PR) please see [Proportional Representation](#).

For further information visit www.ntec.nt.gov.au or call 1800 MYVOTE.

Media Contact: Sue Ward Phone: 08 8999 7635

www.ntec.nt.gov.au EVERY VOTE COUNTS!



NORTHERN TERRITORY ELECTORAL COMMISSION
EVERY VOTE COUNTS!

COUNCIL BY-ELECTION

Voting is Compulsory

Media Release
6 November 2015

**CITY OF PALMERSTON BY-ELECTION
FINAL RESULT**

The Northern Territory Electoral Commission (NTEC) advises that the final count for the City of Palmerston By-election took place after the deadline for receipt of postal votes at 12:00 noon today.

The number of formal ballot papers, the quota and the distribution of preferences have now been completed and posted on the NTEC website (see attached).

The official declaration of the election result took place today at the NTEC Darwin office at 3:00 pm.

At the declaration Athina Pascoe-Bell was declared duly elected under Regulation 56 of the Local Government (Electoral) Regulations.

For further information visit www.ntec.nt.gov.au or call 1800 MYVOTE.

Media Contact: Sue Ward Phone: 08 8999 7635

www.ntec.nt.gov.au EVERY VOTE COUNTS!

Votes by polling place

Appendix D

City of Palmerston By-election

Polling place	Geoffrey HERROD	Gregory KNOWLES	Roger John ELFENBEIN	Margy KERLE	Athina PASCOE-BELL	Formal	Informal	Total
Bakewell	248	78	323	384	576	1609	246	1855
Driver	145	45	197	121	420	928	107	1035
Durack	158	56	200	187	413	1014	125	1139
Johnston	69	26	131	85	178	489	42	531
Rosebery	155	84	266	203	402	1110	173	1283
Woodroffe	226	70	396	234	611	1537	174	1711
Mobile Polling Team 1301	2	4	5	4	5	20	3	23
Darwin EVC	14	14	35	37	60	160	14	174
Palmerston EVC	263	175	445	567	671	2121	215	2336
Postal	49	43	96	93	130	411	29	440
Total	1329	595	2094	1915	3466	9399	1128	10527
	14.1%	6.3%	22.3%	20.4%	36.9%	89.3%	10.7%	55.0%

Enrolment 19133

Distribution of preferences

Total formal ballot papers: 9399									To be elected: 1									9399 Quota: ----- + 1 = 4700 1+1								
Table 1: Count of preferences and calculation of transfers										Table 2: Distribution of the effective votes																
Count	Description of next available preference	Geoffrey HERROD	Gregory KNOWLES	Roger John ELFENBEIN	Margy KERLE	Athina PASCOE-BELL	Total ballot papers counted	Transfer Value	Votes transferred to table 2	Count	Geoffrey HERROD	Gregory KNOWLES	Roger John ELFENBEIN	Margy KERLE	Athina PASCOE-BELL	Votes lost through fractional remainder	Total votes counted	Remarks								
1	First preferences	1329	595	2094	1915	3466	9399	1.000000	9399	1	1329	595	2094	1915	3466	0	9399	Gregory KNOWLES to be excluded								
2	NAP after Gregory KNOWLES at count(s)	146	-595	172	164	113	595	1.000000	595	2	146	-595	172	164	113	0	9399	Geoffrey HERROD to be excluded								
3	NAP after Geoffrey HERROD at count(s)	-1475	0	593	316	566	1475	1.000000	1475	3	-1475	0	593	316	566	0	9399	Margy KERLE to be excluded								
4	NAP after Margy KERLE at count(s)	0	0	922	-2395	1473	2395	1.000000	2395	4	0	0	922	-2395	1473	0	9399	Athina PASCOE-BELL elected 1								



**NORTHERN
TERRITORY
ELECTORAL
COMMISSION**
EVERY vote counts!

ELECTION EVALUATION FORM

Name of Organisation	City of Palmerston
Election	By-Election 31 October 2015

The Northern Territory Electoral Commission (NTEC) is continually seeking to improve its service. It would therefore be appreciated if you could provide feedback against each of the points below.

1. Please comment on the NTEC's communication and consultation, including whether you believe that you were appropriately informed throughout all stages of the election?

2. Please provide feedback on the NTEC's public awareness model, including advertising, media releases, bulletins, enrolment and voting services promotion, NTEC website.

3. Please comment on the following voting services:

Early voting: _____

Postal voting: _____

Mobile polling (includes hospitals, prisons, aged care facilities):

Static polling: _____

4. Please comment on the services the NTEC provided to candidates and stakeholders.

5. Please comment on the Public Events, i.e. Declaration of Nominations and Declaration of Results of the Poll.

6. Were you satisfied with the costs charged by the NTEC for conducting the by-election, i.e. value for money?

☐

Yes

☐

No (if 'no' – please provide information on why below)

7. Please provide feedback on whether the NTEC met council's expectations in conducting the by-election and how it could improve its service delivery.

.....
(Respondent Signature)

.....
Date

Please return the completed form to the Deputy Electoral Commissioner, Northern Territory Electoral Commission, GPO Box 2419, Darwin, NT 0801 or scan and email to ntec@nt.gov.au.

ITEM NO. 13.1.4 **Power to Sell Land – Various Assessments**

FROM: Director of Corporate and Community Services

REPORT NUMBER: 8/0815

MEETING DATE: 2 February 2016

Municipal Plan:

4. Governance & Organisation

4.1 Responsibility

We are committed to corporate and social responsibility, the sustainability of Council assets and services, and the effective planning and reporting of Council performance to the community

Summary:

Division 4 of the Local Government Act Northern Territory gives Council the right to execute the Power to sell land for non-payment of rates. Senior Management has identified seventeen properties with outstanding rates that qualify for the sale of land. Property owners have been given warnings and debt recovery steps have been taken to try to recover the debt. Council is asked to support a registration of statutory charges on the above mentioned properties to initiate the process to sell land for outstanding rates.

Background:

The rates debts on the following properties are not recoverable through the debt recovery process and therefore qualify for the sale of land by Local Government Act.

All property owners have received a Default letter (Sample Attachment A) outlining the next possible steps Council will take.

Under Section 173 of the Local Government Act Council can initiate the sale of land after six months of the liability being registered on the land. Therefore the registration of the statutory charge is the initial step for the process. Management strongly believes that all possible steps have been taken to attempt to recover the debt without legal actions.

General:

Assessment 102203

Residential property with arrears since property was first registered in the name of the current owner in 2006. Bailiffs have attended the address in May 2015 and have served numerous letters of demand for payment. Last payment received was on 26 February 2014 for \$387.96. Our office has tried to contact the owner via telephone and have posted correspondence on various occasions but we have had no contact with the owner since July 2015. Default Letter dated 13 October 2015 was posted and requested full payment within two weeks. There has been no response from the owner.

Total currently outstanding is \$4,146.50.

Assessment 102240

Residential property with arrears since property was first registered in the name of the current owner in 2009. Bailiffs have attended the address in November 2010 and have served numerous letters of demand for payment. Property owner has contacted our office in response to debt recovery to enter into payment arrangements, which have ultimately not been adhered to. In August 2015 the owner paid \$1,000 but this still leaves a substantial debt. Default Letter dated 13 October 2015 was posted and requested full payment within two weeks. There has been no contact from the owner in response to this correspondence. Last contact we had with the owner was in July 2015 when he advised he was making payment of \$1,058.72, which was never received.

Total currently outstanding is \$3,805.71.

Assessment 102489

Residential property with arrears since 2014 and the current owner is the only registered owner of this property. Owner had previously paid rates in full. Mail has been returned to sender from a post office box since September 2014 and no telephone or email contacts on our records. Letters of demand have also been sent to property address with no response. Bailiff attended property address in May 2015 with no response. No contact made by property owner. Default Letter dated 22 October 2015 was posted to property address and requested full payment within two weeks. There has been no response from the owner. Last payment received was in September 2013. Recently we have been advised he resides overseas, but have not been provided with direct contact details for him.

Total currently outstanding is \$3,680.86.

Assessment 102904

Residential property with arrears since 2014 and has been registered in the name of the current owner since 2012. Bailiffs attended the address in 2015 and letters of demand were served on several occasions with no response from owners. Since taking over ownership mail has been sent back return to sender and no telephone numbers recorded in our system. Default Letter dated 13 October 2015, requesting full payment within two weeks, was posted to postal address and was returned to sender and then forwarded to property address via registered mail which was also returned. There has been no contact from the owner on our records since taking over ownership. Last payment received was in August 2013 for full year's rates.

Total currently outstanding is \$3,667.59.

Assessment 103673

Residential property with periodic arrears since 2011 and has been registered in the name of the current owner since 2011. Bailiffs attended property several times and served field calls and letters of demand have been sent on numerous occasions. Default letter, dated 13 October 2015 was posted and requested full payment within two weeks. There has been no contact from the owner in response to this correspondence. We have emailed and telephoned and left a message advising proceeding to statutory charge. Last contact with owner was in April 2015 where payment arrangement was entered into, but only one repayment was made of \$100.

Total currently outstanding \$3,806.70.

Assessment 104822

Residential property with arrears since 2014 and has been registered in the name of the current owners since 2004. Bailiffs have attended the property in May 2015 to serve field call and there has been no response from the owner. Default Letter dated 13 October 2015 was posted and requested full payment within two weeks. There has been no response from the owners. There are no contact telephone numbers or email on our records. Last payment received was in September 2013.

Total currently outstanding is \$3,667.59.

Assessment 105922

Residential property with periodic arrears since 2001 and the current owner is the only registered owner of this property. Bailiffs attended property several times since 2003 to serve Field Calls and Statements of Claims. Default Letter dated 29 September 2015 was posted and requested full payment within two weeks. Property owner contacted our office in October 2015 to enter into repayment arrangement of \$150/fortnight, which was never commenced. There has been no further contact from the owner. The last payment made was in October 2015 for \$600.

Total currently outstanding is \$3,795.70.

Assessment 107218

Residential unit with periodic arrears since 2013 and has been registered in the name of the current owner since 2009. Bailiffs have attended the property in 2014 and letters of demand have been issued. Default Letter dated 2 December 2015 was posted and requested full payment within two weeks. There has been no response from the owner. Last contact between council and the owner was in November 2015. Owner advised he would make payment of \$500 which was received and that the remaining balance would be paid the following week. Balance has not been settled.

Total currently outstanding is \$3,609.48.

Assessment 109145

Residential property with periodic arrears since 2012 and has been registered in the name of the current owner since 2009. Bailiffs attended the property in 2013 and letters of demand have been issued numerous times. Default Letter dated 19 November 2015 was posted and requested full payment within two weeks. There was no response from the owner. Property owner last spoke to rates officers in September 2015 and said was trying to sell property which was half finished due to builder default and unable to enter into repayment arrangement. The last payment made was in March 2014 for \$289.

Total currently outstanding is \$2,557.99.

Assessment 109310

Residential property with periodic arrears since 2006 and has been registered in the name of the current owner since 2005. Bailiffs have attended the property several times during ownership and letters of demand have been issued numerous times. Default Letter dated 19 November 2015 was posted and requested full payment within two weeks. There was no response from the owner. Property owner last contacted rates officers on 02 November 2015 and entered into a payment arrangement of \$500/fortnight which was never commenced. The last payment made was in March 2015 for \$500.

Total currently outstanding is \$2,993.42.

Assessment 110727

Residential unit with periodic arrears since 2010 and has been registered in the name of the current owner since 2010. Bailiffs have attended the property several times and letters of demand have been issued numerous times. Default Letter dated 4 November 2015 was posted and requested full payment within two weeks. The owner contacted our office and advised that her income from a family business had been affected due to the medical condition of her father. She was unable to enter into repayment arrangement and said would contact our office again in December, which did not occur. The last payment made was in October 2015 for \$416.

Total currently outstanding is \$4,386.66.

Assessment 111296

Residential property with periodic arrears since 2010 and has been registered in the name of the current owner since 2010. Bailiffs have attended the property in 2013 and letters of demand have been issued numerous times. Default Letter dated 19 November 2015 was posted and requested full payment within two weeks. There was no response from the owner. Property owner last spoke to rates officers on 10 November 2015 and said that he was at his computer transferring money, but funds were never received. The last payment made was in March 2014 for \$1,190. Total currently outstanding is \$3,539.25.

Assessment 113402

Residential property with periodic arrears since 2014 and has been registered in the name of the current owner since 2014. Letter of Demand was issued in March 2015 with no response. Default Letter dated 19 November 2015 was posted and requested full payment within two weeks. There was no response from the owner until contacted by our Finance Manager requesting payment. Property owner advised payment would be made in two weeks. The owner regularly leaves rates payments until properties are sold and rates paid at settlement. He has been contacted numerous times in regards to debt but always maintains that he has no knowledge of outstanding amounts. No payment ever made against rates since change of ownership. Total currently outstanding is \$2,869.48.

Assessment 104397

Residential property with arrears since 2013 and has been registered in the name of the current owner since 2007. Bailiffs attended the property in 2015 and letters of demand have been issued numerous times. Default Letter dated 19 November 2015 was posted and requested full payment within two weeks. There was no response from the owner. Property owner last spoke to rates officers in October 2015 and promised to make a contribution towards outstanding debt. The last payment made was in October 2015 for \$500.

Total currently outstanding is \$3,797.17.

Assessment 106248

Residential property with periodic arrears since 2012 and has been registered in the name of the current owner since 2009. Bailiffs attended the property in May 2015 and letters of demand have been issued. Default Letter dated 22 October 2015 was posted and requested full payment within two weeks. The owner spoke to the finance manager in response to this letter and advised that she was experiencing hardship and property was for sale. Last spoke with the owners conveyancer who advised there were currently no contracts issued on the property. The last payment made was in May 2014 for \$100.

Total currently outstanding is \$4,123.29.

Assessment 103945

Residential unit with periodic arrears since 2012 and has been registered in the name of the current owner since 2012. Bailiffs attended the property in May 2015 and letters of demand have been issued several times. Default Letter dated 13 October 2015 was posted and requested full payment within two weeks. Owner attended our office and advised that they were experiencing financial difficulties and requested further time to repay debt and apply for hardship. There has been no further contact, payment or application for hardship received. The last payment made was in August 2015 for \$130.

Total currently outstanding is \$3,506.24.

Assessment 108514

Residential property with periodic arrears since 2008 and has been registered in the name of the current owner since 2001. Bailiffs attended the property in November 2013 and letters of demand have been issued numerous times. Default Letter dated 29 September 2015 was posted and requested full payment within two weeks. Owner contacted our office and asked to enter into a payment arrangement with a direct debit of \$200 per fortnight. The direct debit is still current, but has defaulted the last two times with no further contact from owner. The last payment made was in 24 December 2015 for \$200.

Total currently outstanding is \$4,081.39.

Financial Implications:

The overall accrued debt of \$62,029.02 (as at 25/01/2016, accruing penalty interest daily) is a shortage in operational funds.

All legal fees incurred are fully recoverable over the sale of land and will not be at any cost to Council.

Policy Legislation:

Local Government Act

Part 11.9 Recovery of rates
Division 3 Overriding statutory charge

170 Overdue rates to be a charge on land

If rates are not paid by the due date, the rates become a charge on the land to which they relate.

Exceptions:

1. Rates do not become a charge on land unless the owner of the land is a ratepayer who is liable for the rates that are in arrears.
2. Rates cannot become a charge on land within an Aboriginal community living area.

171 Registration of charge

(1) After rates have been in arrears for at least 6 months, the council may apply to the appropriate registration authority for registration of the charge over the land to which the charge relates.

(2) The registration authority must, on payment of the appropriate fee by the council:
(a) register the charge as an overriding statutory charge; and
(b) notify all persons with a registered interest in or over the land of the registration of the charge.

(3) Failure to give notice of the registration of the charge under subsection (2)(b) does not invalidate the registration of the charge.

(4) A registration authority must cancel registration of a charge if the council applies for the cancellation.

(5) The council must apply for cancellation if the liability to which the charge relates is fully satisfied, and may apply for cancellation for any other reason.

172 Effect of registered charge

While a charge is registered as an overriding statutory charge under this Division, it has priority over all other registered and unregistered mortgages, charges and encumbrances except a previously registered overriding statutory charge.

Division 4 Sale of land

173 *Power to sell land for non-payment of rates*

If rates have been in arrears for at least 3 years, and an overriding statutory charge securing liability for the rates has been registered for at least the last 6 months, the council may sell the land.

174 *Pre-conditions of sale*

(1) Before the council sells land for non-payment of rates, it must give a notice to the principal ratepayer for the land at the address appearing in the assessment record:

- (a) stating the period for which rates have been in arrears; and
- (b) stating the total amount currently outstanding on the land; and
- (c) warning that if that amount is not paid in full within a stated period (at least 1 month) after the date of the notice, the council will sell the land for non-payment of rates.

(2) A copy of the notice must be given to:

- (a) any other person with a registered interest in the land; and
- (b) if the land is a pastoral or other lease granted by the Territory, or a mining tenement – the Minister administering the legislation under which the lease or mining tenement was granted.

(3) If the whereabouts of a person to whom a notice (or copy) is, after reasonable inquiries, not ascertained by the council, the notice may be given by:

- (a) publishing it in a newspaper circulating generally throughout the Territory; and
- (b) leaving a copy of the notice in a conspicuous place on the land.

175 *Sale of land*

(1) If the full amount of the outstanding rates is not paid within the time allowed in the warning notice, the council may sell the land.

(2) The sale must be by public auction.

Exceptions

1 If the land is a pastoral or other lease granted by the Territory, or a mining tenement, the sale must be made as approved by the Minister administering the legislation under which the lease or mining tenement was granted.

2 If the land is a leasehold estate granted by a Land Trust, the sale must be made as approved by the relevant Land Council.

(3) A public auction must be advertised:

- (a) on the council's website; and
- (b) on at least 2 separate occasions in a newspaper circulating generally throughout the Territory.

(4) If before the date of the sale, the outstanding rates (including costs incurred by the council with a view to sale of the land) are paid, the council must call off the sale.

(5) If an auction fails, the council may sell the land by private contract for the best price that it can reasonably obtain.

(6) If a council sells land under this section, the council may execute a conveyance of the land under its common seal.

(7) On registration of the conveyance, title to the land vests in the purchaser freed and discharged from all mortgages, charges and encumbrances securing the payment of money.

176 *Proceeds of sale*

(1) The council must apply the proceeds of the sale of the land as follows:

- (a) first in the payment of the costs incurred in selling the land under this Division;
- (b) secondly, in the payment of all liabilities secured on the land (including the liability to the council) in the order of their priority;
- (c) thirdly, in payment to the owner of the land.

(2) If the council fails, after reasonable inquiry, to discover the identity or whereabouts of a person entitled to payment under this section, the council may make the payment to the Public Trustee as unclaimed property.

(3) A payment made to the Public Trustee under subsection (2) vests in the Public Trustee under, and for the purposes of, section 59A of the Public Trustee Act.

RECOMMENDATION

1. THAT Council receives Report Number 8/0815.
2. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 102203.
3. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 102240.
4. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 102489.
5. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 102904.
6. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 103673.
7. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 104822.
8. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 105922.
9. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 107218.
10. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 109145.
11. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 109310.
12. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 110727.
13. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 111296.
14. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 113402.
15. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 104397.
16. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 106248.
17. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 103945.
18. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 108514.

19. THAT the Mayor and Chief Executive Officer be authorised to sign and seal all documentation relation to the above mentioned properties, including discharge of statutory charges if full payment should occur.

Recommending Officer: Ben Dornier, Director of Corporate & Community Services

Any queries on this report may be directed to Ben Dornier, Director of Corporate & Community Services on telephone (08) 8935 9971 or email ben.dornier@palmerston.nt.gov.au.

Schedule of Attachments:

Attachment A: Example of warning letter sent to all property owners 2015.



CITY OF PALMERSTON

COUNCIL OFFICES CIVIC PLAZA 2 CHUNG WAH TERRACE

PO BOX 1 PALMERSTON NT 0831

TEL: (08) 8935 9922 FAX: (08) 8935 9900

Email rates@palmerston.nt.gov.au

ABN: 420 601 76900

XXXXXXX
XXXXXXXXXX
PALMERSTON NT 0830

Dear Sir/Madam,

Re: ASSESSMENT NO: XXXXXX
PROPERTY ADDRESS: XX XXXXXXXXXXXX, Palmerston

I write in regards to your above property, which has accrued substantial arrears of municipal rates and charges.

Due to your continued failure to comply with repeated requests for payment, Council intends to commence further legal proceedings against you pursuant to Part 11.9 of the Northern Territory Local Government Act 2014.

These legal proceedings **will ultimately result in your property being seized and sold** to recover the outstanding rates, interest accruals and the costs incurred in pursuing this action.

In order to avoid the above action being commenced, Council requires payment of all arrears and penalty interest in full by the close of business, **2 weeks** from the date of this letter. Please note that due to previous conduct of your account, a negotiated payment arrangement over time will no longer be acceptable, a lump sum payment in full of **\$x,xxx.xx** is required.

Should the above amount not be received at Council's offices by the due date, sale proceedings will be initiated without further notice.

The decision as to whether this course of action is pursued now rests with you. I strongly urge you to not ignore this notification.

Should you require any clarification in regards to this matter, you should contact me via silke.reinhardt@palmerston.nt.gov.au or on 08 8935 9922.

Yours sincerely,

Silke Reinhardt
Acting Director of Corporate Services
City of Palmerston

29 September 2015

ITEM NO. 13.1.5 The Boulevard Stage 2 – Scope of Works

FROM: Chief Executive Officer

REPORT NUMBER: 8/0816

MEETING DATE: 2 February 2016

Municipal Plan:

2. Economic Development

2.3 City Planning

We are committed to effective and responsible city planning which balances and meets both residential and commercial needs in our community

Summary:

Council directed that a report be provided regarding the impact of a reduced scope of works on The Boulevard Stage 2. The design team has reviewed the design and requirements to match into the NT Government Roystonea Avenue works and have determined that it is practicable to construct the Boulevard works in two sections; Section 1 being Roystonea Avenue to vicinity of Quest and Section 2 being Frances Drive to vicinity of Quest.

A further reduction in the scope of works can be achieved in Section 2 by retaining the existing road pavement and footpath adjacent to the Quest. Constructing Stage 2 of The Boulevard in two sections is estimated to increase the cost of construction from \$4.036M to \$5.32M (ex GST) with overall project costs increasing from \$4.57M to \$6.05M (ex GST).

Council is asked to:

- Note the estimated construction costs associated with constructing Stage 2 of The Boulevard in two sections being:
 - Section 1 – Roystonea Ave to vicinity of Quest \$3.1M
 - Section 2 – Frances Drive to vicinity of the Quest \$2.2M
- Approve constructing the whole scope of works of Stage 2 of The Boulevard in 2016

Background:

At a Confidential Meeting held on 8 December 2015, the following decisions were carried by Council and transferred from the Confidential Meeting to the minutes of the Ordinary Meeting:-

- *THAT Council direct that a report on funding options for construction of The Boulevard Stage 2 be provided to a Special Meeting of the Economic Development and Infrastructure Committee prior to 28 January 2016;*
- *THAT a report be provided to Council regarding the impact of a reduced scope of works on The Boulevard Stage 2;*
- *THAT Council directs the City of Palmerston to investigate and report the options for consolidation of the excess Boulevard road reserve with adjacent Lot 4537 and Lot 10027.*

This report considers the impact of a reduced scope of works on The Boulevard Stage 2.

The Boulevard Stage 2 design has been matched to the NT Government design for the Roystonea Avenue intersection. The NTG called tenders for Roystonea Ave works on 26 November 2015.

General:

The design team has reviewed the design of The Boulevard Stage 2 and the requirements to match into the NT Government Roystonea Ave works. Based on the overall scope of works it is practicable to construct the Boulevard works in two sections as shown in **Attachment A**. Section 1 and Section 2 works include:

- Section 1 - Roystonea Ave to vicinity of Quest
 - Matching to NTG Roystonea Ave works
 - Temporary detour to Quest
 - Removal of roundabout
 - New access to Bunnings
- Section 2 - Frances Drive to vicinity of Quest
 - Area of retained road pavement
 - Frances Drive intersection
 - Hillson St intersection

A further reduction in the scope of works can be achieved in Section 2 by retaining the existing footpath adjacent to the Quest (**Attachment B**). Retaining this footpath would minimise impacts on access and business disruption to the Quest and Hogs Breath during construction. This section of footpath would be expected to be upgraded at some time in the future by the building owner.

The implications associated with constructing Stage 2 in two sections include:

- The need to match into the NTG works at the Roystonea Ave – The Boulevard intersection in 2016
- Increased costs associated with mobilising and demobilising contractors from the site for each section although construction costs would be spread over multiple years
- Impact on existing and proposed adjacent developments due to extended road works construction period and potential conflict between building and road works occurring at the same time
- Public perception of ongoing works in the city centre over an extended period

Options:

The options available to Council include:

- (a) Construct Section 1 and Section 2 of The Boulevard Stage 2 in 2016; or
- (b) Construct only Section 1 of The Boulevard Stage 2 in 2016; or
- (c) Construct only Section 2 of The Boulevard Stage 2 in 2016; or
- (d) Defer construction of The Boulevard Stage 2.

Option (a) is the preferred option as it allows the full scope of The Boulevard Stage 2 to be completed in 2016.

Option (b) would allow some works to proceed in conjunction with scheduled NTG works on Roystonea Ave. This option would utilise external funding ensuring that this funding is not lost but would require the section of The Boulevard between Kilgour Lane and Frances Drive to be completed in subsequent years. This option would not complete works in front of the superblock prior to its development.

Option (c) would allow some works to proceed but would not match The Boulevard into the scheduled NTG works on Roystonea Ave.

Option (d) will not deliver Council's vision to upgrade The Boulevard to Palmerston's main street and may risk losing the \$2.5M in NTG funding allocated to the project. Road to Recovery funding allocated to The Boulevard Stage 2 would be required to be re-allocated to alternate City of Palmerston road projects.

Financial Implications:

The City of Palmerston has received external grant funding for the project of \$2,731,648 as shown in Table 1.

Table 1: External funding

Item	Limitations	Amount (\$ ex GST)
AG Roads to Recovery	Expended by 30 Jun 16	\$231,648
NTG Grant		\$2,500,000
Total		\$2,731,648

The revised construction contract estimate from the quantity surveyor for the complete scope of works is \$4.036M. Constructing Stage 2 of The Boulevard in two sections is estimated to increase the cost of construction from \$4.036M to \$5.32M (ex GST) with overall project costs increasing from \$4.57M to \$6.05M (ex GST) as shown in Table 2.

Table 2: Project construction cost estimates (ex GST)

Item	Stage 2	Section 1	Section 2
Construction contract	\$4,036,500	\$3,111,122	\$2,210,127
Superintendent's representative	\$100,000	\$75,000	\$60,000
Construction design advice	\$10,000	\$10,000	\$10,000
Communications / advertising	\$10,000	\$10,000	\$10,000
Contingency (10%)	\$415,000	\$320,000	\$230,000
Total	\$4,571,500	\$3,526,122	\$2,520,127

Legislation / Policy:

There are no legislative or policy implications arising from this report.

RECOMMENDATION

1. THAT Council receives Report Number 8/0816.
2. THAT Council note the estimated project costs associated with constructing Stage 2 of The Boulevard in two sections being:
 - a. Section 1 – Roystonea Ave to vicinity of Quest \$3.52m
 - b. Section 2 – Frances Drive to vicinity of the Quest \$2.52m
3. THAT Council approves constructing the whole scope of works of The Boulevard Stage 2 in 2016.

Recommending Officer: Gary Boyle, Major Projects Officer

Any queries on this report may be directed to Gary Boyle, Major Projects Officer on telephone (08) 8935 9969 or email gary.boyle@palmerston.nt.gov.au

Schedule of Attachments:

Attachment A:	The Boulevard Stage 2 - construction sections
Attachment B:	Section 2 - retained footpath

