

CITY OF PALMERSTON

**Notice of Council Meeting
To be held in Council Chambers
Civic Plaza, Palmerston
on Tuesday 6 February 2018 at 6.30pm**



**Luccio Cercarelli
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.

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. The minutes of this Council Meeting will be made available on the Council Website.

Acknowledgement of Traditional Ownership

I respectfully acknowledge the past and present Traditional Custodians of this land on which we are meeting, the Larrakia people. It is a privilege to be standing on Larrakia country.

1 PRESENT

2 APOLOGIES

3 CONFIRMATION OF MINUTES

RECOMMENDATION

1. THAT the minutes of the Council Meeting held Tuesday, 30 January 2018 pages 9481 to 9488, be confirmed.
2. THAT the Confidential minutes of the Council Meeting held Tuesday, 30 January 2018 pages 361 to 362, be confirmed.

4 OFFICIAL MANAGER 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

Nil

11.3 Community Culture and Environment

Nil

11.4 Risk Management and Audit Committee Meeting

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

Nil

13 DEBATE AGENDA

13.1 Officer Reports

13.1.1 Palmerston Development Consent Authority

8/1405

13.1.2 Delegations

8/1402



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

18.1 Report Number 8/1387

RECOMMENDATION

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Acting Director of Technical Services, Director of Community Services, Director of Corporate Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report in relation to confidential agenda item 18.1 Report Number 8/1387 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

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

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

2. THAT Council orders that the minutes from the Confidential Council Meeting held on 6 February 2018, in relation to item number 18.1 Report Number 8/1387 the report and associated documents remain confidential and not available for public inspection.



18.2 Report Number 8/1404

RECOMMENDATION

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Acting Director of Technical Services, Director of Community Services, Director of Corporate Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report in relation to confidential agenda item 18.2 Report Number 8/1404 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:
 - (c) information that would, if publicly disclosed, be likely to:
 - (i) cause commercial prejudice to, or confer an unfair commercial advantage on, any person; or

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

2. THAT Council orders that the minutes from the Confidential Council Meeting held on 6 February 2018, in relation to item number 18.2 Report Number 8/1404 and associated documents remain confidential and not available for public inspection.

18.3 Report Number 8/1401

RECOMMENDATION

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report in relation to confidential agenda item 18.3 Report Number 8/1401 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:
 - (c) information that would, if publicly disclosed, be likely to:
 - (iv) prejudice the interests of the council or some other person;
 - (d) information subject to an obligation of confidentiality at law, or in equity;

This item is considered confidential pursuant to Regulations 8(c)(iv) and (d) of the Local Government (Administration) Regulations.

2. THAT Council orders that the minutes from the Confidential Council Meeting held on 6 February 2018, in relation to item number 18.3 Report Number 8/1401 and associated documents remain confidential and not available for public inspection.



18.4 Report Number 8/1403

RECOMMENDATION

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report in relation to confidential agenda item 18.4 Report Number 8/1403 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

- (c) information that would, if publicly disclosed, be likely to:
 - (iv) prejudice the interests of the council or some other person;
- (d) information subject to an obligation of confidentiality at law, or in equity;

This item is considered confidential pursuant to Regulations 8(c)(iv) and (d) of the Local Government (Administration) Regulations.

2. THAT Council orders that the minutes from the Confidential Council Meeting held on 6 February 2018, in relation to item number 18.4 Report Number 8/1403 and associated documents remain confidential and not available for public inspection.

19 CLOSURE



CITY OF PALMERSTON

**Minutes of Council Meeting
held in Council Chambers
Civic Plaza, Palmerston
on Tuesday 30 January 2018 at 6.30pm.**

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.

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Acknowledgement of Traditional Ownership

I respectfully acknowledge the past and present Traditional Custodians of this land on which we are meeting, the Larrakia people. It is a privilege to be standing on Larrakia country.

1 PRESENT

Elected Members:	Mark Blackburn, Official Manager
Staff:	Luccio Cercarelli, Chief Executive Officer Chris Kelly, Director of Corporate Services Malcolm Jones, Acting Director of Technical Services Jan Peters, Director of Community Services Shane Nankivell, Finance Manager Kristy Litster, Minute Secretary Samantha Abdic, Communications Officer
Gallery:	Lauren Roberts, NT News 2 members of the public

2 APOLOGIES

Nil.

3 CONFIRMATION OF MINUTES

1. THAT the minutes of the Council Meeting held Tuesday, 12 December 2017 pages 9460 to 9480, be confirmed.
2. THAT the Confidential minutes of the Council Meeting held Tuesday, 12 December 2017 pages 359 to 360, be confirmed.

CARRIED 8/2992 – 30/01/2018

Initials: _____

4 OFFICIAL MANAGER REPORT

M8-8

THAT Council receives Report Number M8-8.

CARRIED 8/2993 – 30/01/2018

5 REPORT OF DELEGATES

Nil.

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

Nil.

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

Nil.

8 PETITIONS

Nil.

9 DEPUTATIONS/PRESENTATIONS

Nil.

10 CONSIDERATION OF MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

Nil.

11 COMMITTEE RECOMMENDATIONS

11.1 Governance and Organisation

Nil.

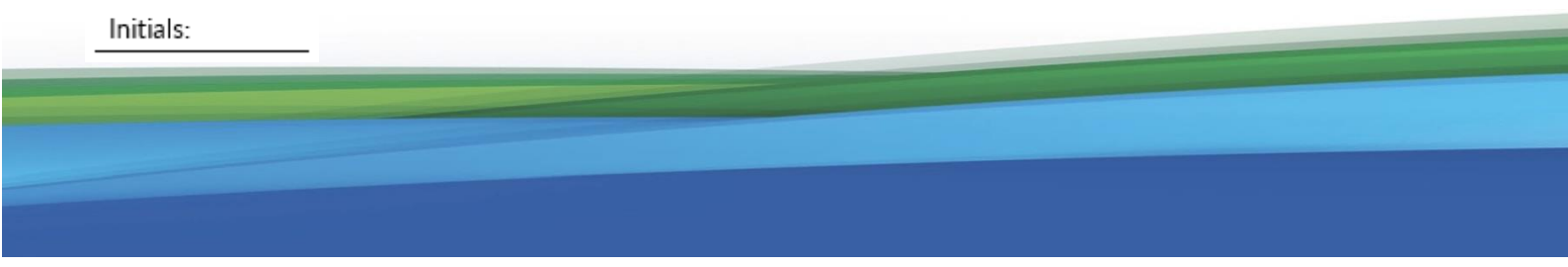
11.2 Economic Development and Infrastructure

Nil.

11.3 Community Culture and Environment

Nil.

Initials: _____



11.4 Risk Management and Audit Committee

THAT the minutes from the Risk Management and Audit Committee meeting held on 13 December 2017, be received and noted and that Council adopts the recommendations made by the Committee and accordingly resolves as follows:

11.4.1 Draft FIN28 Finance Accounting Policy

RMA/0121

1. THAT Council rescinds the following Policies, and where applicable, includes the content into the Accounting Policy and Procedure Manual under Section 9 of the Regulations:
 - FIN01 Finance Policy
 - FIN03 Annual Financial Statements Policy
 - FIN11 Financial Recognition of Employee Entitlements Policy
 - FIN12 Asset Capitalisation Policy
 - FIN13 Asset Depreciation Policy
 - FIN14 Asset Revaluation Policy
 - FIN16 Computer Based Account Policy
 - FIN24 Chart of Accounts Policy
2. THAT Council adopt FIN28 but renumbered as FIN03 and renamed Annual Financial Statements Policy.

CARRIED 8/2994 – 30/01/2018

11.4.2 Risk Management and Internal Audit Framework

RMA/0122

THAT Council adopts the Draft Risk Management and Internal Audit Framework with amendments as recommended by the Committee.

CARRIED 8/2995 – 30/01/2018

12 INFORMATION AGENDA

12.1 Items for Exclusion

Nil.

12.2 Receipt of Information Reports

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

CARRIED 8/2996 – 30/01/2018

12.3 Officer Reports

- | | | |
|--------|--|--------|
| 12.3.1 | LGANT Executive Minutes – 13 December 2017 | 8/1385 |
| 12.3.2 | Exceptional Development Permit for Lot 10288 (3) Tarakan Court, Johnston | 8/1400 |

Initials: _____

13 DEBATE AGENDA

13.1 Officer Reports**13.1.1 Summary of Recent Development Proposals – October to December 2017**
8/1392

1. THAT Report Number 8/1392 entitled Summary of Recent Development Proposals – October to December 2017 be received and noted.
2. THAT Council notes that **Attachment A** of Report Number 8/1392 entitled Summary of Recent Development Proposals – October to December 2017 has been resolved by the Development Consent Authority.
3. THAT Council endorse **Attachment B** of Report Number 8/1392 entitled Summary of Recent Development Proposals – October to December 2017 of no objection.
4. THAT Council endorse **Attachment C** of Report Number 8/1392 entitled Summary of Recent Development Proposals – October to December 2017 of objection.

CARRIED 8/2997 – 30/01/2018

13.1.2 Naming of New Southern Connector Road and Alteration of Suburb Boundary between Mitchell and Zuccoli
8/1394

1. THAT Council receives Report Number 8/1394 entitled Naming of new southern connector road and alteration of suburb boundary between Mitchell and Zuccoli be received and noted.
2. THAT Council supports the proposed naming of the new southern connector road as Bertram Road.
3. THAT Council supports in principle that the new southern connector road between Mitchell and Zuccoli is intended to be realigned to accommodate the future planning of both the Zuccoli and Mitchell suburbs.

CARRIED 8/2998 – 30/01/2018

13.1.3 NT Library Grants Acquittal 2016/2017
8/1386

1. THAT Report Number 8/1386 entitled Northern Territory Library Grants Acquittal 2016/2017 be received and noted.
2. THAT Council approve Northern Territory Library Grants acquittal 2016/17 **Attachment A** to Report Number 8/1386 entitled Northern Territory Library Grants Acquittal 2016/2017.

CARRIED 8/2999 – 30/01/2018

Initials: _____

13.1.4 Second Quarter Budget Review 2017/18 8/1393

1. THAT Report Number 8/1393 entitled Second Quarter Budget Review 2017/18 be received and noted.
2. THAT Council adopts the Second Quarter Budget Review 2017/18, pursuant to Section 128 (2) of *Local Government Act* as per **Attachment A** of Report Number 8/1393 entitled Second Quarter Budget Review 2017/18.
3. THAT for the purposes of Section 103 of the Local Government Act, Council approves two additional full-time equivalent (FTE) positions to the adopted 2017/18 Staffing Plan contained within the Municipal Plan 2017-2022 noting:
 - The amended Plan now provides for the employment of 77 full-time equivalent staff and a total budget for employee costs of \$8,208,035;
 - Short-term projects may temporarily change the actual number of FTE's at any given time during the financial year.

CARRIED 8/3000 – 30/01/2018

13.1.5 Financial Report for the Month of December 2017 8/1395

THAT Report Number 8/1395 entitled Financial Report for the Month of December 2017 be received and noted.

CARRIED 8/3001 – 30/01/2018

13.1.6 Transfer of Title – Lot 11890 (48) Haultain Crescent, The Heights Durack 8/1396

1. THAT Report Number 8/1396 entitled Transfer of Title – Lot 11890 (48) Haultain Crescent, The Heights Durack be received and noted.
2. THAT Council accepts the transfer of title and services of Lot 11890 (48) Haultain Crescent, The Heights Durack subject to Developer paying any applicable costs associated with the transfer.
3. THAT pursuant to Section 26 (2) of the Local Government Act, Council authorises the affixing of the common seal to all documents associated with the Transfer of Title – Lot 11890 (48) Haultain Crescent, The Heights Durack between Charles Darwin University and City of Palmerston and that this be attested by the signatures of the Official Manager and Chief Executive Officer.

CARRIED 8/3002 – 30/01/2018

Initials: _____



13.1.7 Financial Support – Baptist Care Northern Territory 8/1397

1. THAT Report Number 8/1397 entitled Financial support – Baptist Care Northern Territory be received and noted.
2. THAT Council approve supporting Baptist Care NT to facilitate the Food for Life program through a grant of \$2,500 (GST Exclusive) in 2017/2018.
3. THAT Council approve modification to the existing kerb on Victoria Drive to facilitate the project to be funded from the Community Benefit Scheme.

CARRIED 8/3003 – 30/01/2018

13.1.8 Community Benefits Scheme – December 2017 8/1398

THAT Report Number 8/1398 entitled Community Benefit Scheme – December 2017 be received and noted.

CARRIED 8/3004 – 30/01/2018

13.1.9 Community Services Quarterly Report October – December 2017 8/1399

THAT Council Report Number 8/1399 entitled Community Services Quarterly Report October – December 2017 be received and noted.

CARRIED 8/3005 – 30/01/2018

14 CORRESPONDENCE

Nil.

15 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

16 PUBLIC QUESTION TIME

The Official Manager provided an opportunity for members of the gallery to ask questions.

Nil.

17 OTHER BUSINESS

17.1 City of Palmerston – Review of its Basis of Rating

THAT a report be prepared to the second Ordinary Council Meeting in February 2018, regarding the independent report 'City of Palmerston – Review of its Basis of Rating'.

CARRIED 8/3006 – 30/01/2018

Initials: _____

17.2 Development Consent Authority - Palmerston Division Membership

THAT a report be prepared on the current status of Council's representation on the Development Consent Authority – Palmerston Division for the First Ordinary Meeting in February 2018.

CARRIED 8/3007 – 30/01/2018

18 CONFIDENTIAL REPORTS

18.1 Financial Hardship Application – 2018/01

8/1391

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Acting Director of Technical Services, Director of Community Services, Director of Corporate Services, Finance Manager and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report in relation to confidential agenda item 18.1 Financial Hardship Application – 2018/01 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

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

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

2. THAT Council orders that the minutes from the Confidential Council Meeting held on 30 January 2018, in relation to item number 18.1 Financial Hardship Application – 2018/01 the report and associated documents remain confidential and not available for public inspection.

18.2 Financial Hardship Application – 2018/02

8/1389

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Acting Director of Technical Services, Director of Community Services, Director of Corporate Services, Finance Manager and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report in relation to confidential agenda item 18.2 Financial Hardship Application – 2018/02 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

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

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

2. THAT Council orders that the minutes from the Confidential Council Meeting held on 30 January 2018, in relation to item number 18.2 Financial Hardship Application – 2018/02 the report and associated documents remain confidential and not available for public inspection.

Initials: _____

18.3 Financial Hardship Application – 2018/03

8/1390

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Acting Director of Technical Services, Director of Community Services, Director of Corporate Services, Finance Manager and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report in relation to confidential agenda item 18.3 Financial Hardship Application – 2018/03 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

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

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

2. THAT Council orders that the minutes from the Confidential Council Meeting held on 30 January 2018, in relation to item number 18.3 Financial Hardship Application – 2018/03 the report and associated documents remain confidential and not available for public inspection.

CARRIED 8/3008 – 30/01/2018

The meeting moved into the Confidential Session at 7:17pm.

19 CLOSURE

Meeting closed at 7:21pm



Mark Blackburn
Official Manager
Date:

ITEM NUMBER: 13.1.1 Representation on the Palmerston Division of the Development Consent Authority

FROM: Chief Executive Officer

REPORT NUMBER: 8/1405

MEETING DATE: 6 February 2018

Municipal Plan:

4. Governance & Organisation

4.4 Systems

4.4 We are committed to ensuring the systems and processes of Council support the organisation in delivering the best possible services to the community

Summary:

The purpose of this report is for Council to review it's members on the Palmerston Division of the Development Consent Authority (DCA) nominated by Council.

RECOMMENDATION

1. THAT Report Number 8/1405 entitled Representation on the Palmerston Division of the Development Consent Authority be received and noted.
2. THAT Council write to the Minister for Infrastructure, Planning and Logistics requesting that the appointment of Mr Paul Bunker, Mr Andrew Byrne and Ms Seranna Shutt to the Palmerston Division of the Development Consent Authority be terminated.
3. THAT Council nominate the Official Manager, Mr Mark Blackburn write to the Minister for Infrastructure, Planning and Logistics as the City of Palmerston's nomination for a member on the Palmerston Division of the Development Consent Authority.
4. THAT Council write to Mr Paul Bunker, Mr Andrew Byrne and Ms Seranna Shutt advising them of Council's decision, regarding the request to terminate their membership on the Palmerston Division of the Development Consent Authority and acknowledging their contribution.

Background:

At a Council Meeting held on 5 April 2016 Council resolved as follows:-

Council Decision Number 8/1906 Part 2

Development Consent Authority Appointment

8/0850

THAT Council nominate Alderman Bunker and Alderman Byrne for appointment to the Palmerston Division of the Development Consent Authority, with Alderman Shutt as an alternate member.

The Minister for Lands and Planning appointed Alderman Paul Bunker and Alderman Andrew Byrne as members and Alderman Seranna Shutt as their alternate member, to the Palmerston Division of the DCA in accordance with Council's decision.

Their appointments were for the period of 1 July 2016 to 30 June 2018.

At its first Ordinary Council Meeting on 30 January 2018, Council resolved:-

Council Decision 8/3007

Development Consent Authority - Palmerston Division Membership

THAT a report be prepared on the current status of Council's representation on the Development Consent Authority - Palmerston Division for the First Ordinary Meeting in February 2018.

This report reviews the status of Council's Representatives.

General:

Mr Paul Bunker and Mr Andrew Byrne are currently members and Ms Seranna Shutt is their alternative on the Palmerston Division of the DCA with their term set to expire on the 30 June 2018.

At the time of nomination both members and their alternate were Elected Representatives of the City of Palmerston being Deputy Mayor and Alderman.

On the 23 January 2018 the Minister for Housing and Community Development announced the dismissal of the City of Palmerston Council, which had been suspended since 29 June 2017 and subject to investigation.

The City of Palmerston will hold its Election on Saturday, 17 March 2018.

The Northern Territory Planning Act, Division 2, Section 100 provides for the removal from office. Section 100 (3) states:-

(3) The Minister must terminate the appointment of a member:

(a) if the member:

(i) was, at the time of his or her appointment as a member, a member of the local authority that nominated him or her under section 89; and


(ii) has, since his or her appointment, ceased to hold office as a member of the local authority that nominated him or her under section 89; and

(b) if the local authority that nominated him or her under section 89 has requested that his or her appointment under that section be terminated.

As the current members and their alternate were members of the City of Palmerston Council and have since ceased to be members of Council it is recommended that Council write to the Minister requesting that their appointment be terminated.

It is further recommended that Council write to the existing members Mr Paul Bunker, Mr Andrew Byrne and alternate member Ms Seranna Shutt advising them of Council's decision and acknowledging their contribution.

To ensure that the Palmerston Division of the DCA can continue to operate and consider development applications within the City of Palmerston in a timely manner and that the Council and community are represented it is recommended that Council write to the Minister of Infrastructure, Planning and Logistics nominating the Official Manager, Mark Blackburn as Council's nomination for member on the Palmerston Division of the DCA.



Financial Implications:

No financial implications to the Council have been identified.

Legislation/Policy:

Northern Territory Planning Act.

Recommending Officer: Luccio Cercarelli, Chief Executive Officer

Any queries on this report may be directed to Luccio Cercarelli, Chief Executive Officer on telephone (08) 8935 9922 or email palmerston@palmerston.nt.gov.au

Author: Luccio Cercarelli, Chief Executive Officer

Schedule of Attachments:

Nil



ITEM NUMBER: 13.1.2 Delegations

FROM: Chief Executive Officer

REPORT NUMBER: 8/1402

MEETING DATE: 6 February 2018

Municipal Plan:

4. Governance & Organisation

4.1 Responsibility

4.3 We value our people, and the culture of our organisation. We are committed to continuous improvement and innovation whilst seeking to reduce the costs of Council services through increased efficiency

Summary:

The purpose of this report is to seek Council's endorsement of delegation of authority to the Chief Executive Officer to act on behalf of the Council.

RECOMMENDATION

1. THAT Report Number 8/1402 entitled Delegations be received and noted.
2. THAT Council rescinds Policy FIN07 Financial Delegations at **Attachment A** to Report Number 8/1402 entitled Delegations.
3. THAT pursuant to Section 32 of the Local Government Act, Council hereby delegates to the Chief Executive Officer its powers and functions as set out in the schedule below:-

Section 112	Appointment of Authorised Persons
Section 244	Authorisation of the persons to institute proceedings in the name of Council
Various	<p>All of the powers and functions of the Council with the exception of the following:</p> <ol style="list-style-type: none"> those matters referred to in Section 21(2) of the Local Government Act Sections 22 and 24, regarding adoption of the Municipal Plan Section 46, appointment to fill a Casual Vacancy on the Council Section 49, establishment of Local Boards Section 54, establishment of Council Committees Section 68, calling meetings for elections

4. THAT pursuant to Section 112 of the Local Government Act, Council appoints the Chief Executive Officer as an authorised person.
5. THAT pursuant to Section 32 of the Local Government Act, Council hereby delegates to the Chief Executive Officer the power and authority to exercise all powers of the Council under the City of Palmerston (Animal Management) By-Laws.
6. THAT a report be prepared reviewing the committee structure and delegations for the second Ordinary Council Meeting in April 2018.

Background:

Council adopted a Delegations Register in 2011. This register has been partially superseded by FIN07 Financial Delegations which was last updated in July 2016.

These delegations have been reviewed.

General:

Pursuant to Section 32 of the Local Government Act the Council may delegate powers and functions to the Chief Executive Officer.

The following are limitations defined within the Act in relation to delegation under Section 32:-

- (a) the power to impose rates cannot be delegated; and
- (b) if power to incur financial liabilities is delegated the council must fix reasonable limits on the delegate's authority.

The Chief Executive Officer's financial delegations are unlimited on conditions it is within budget.

The Chief Executive Officer can not let a tender unless it is less than \$5 million (Northern Territory Government (NTG) General Instruction No. 4 Procurement).

The sub-delegations from the Chief Executive Officer contain financial delegations to the City of Palmerston Officers for the purpose of community benefit expenditure on good and services.

It is recommended that Council delegate powers and functions with the exception of the limitations of the Chief Executive Officer. This will allow the Council administration to operate in a efficient, effective and responsive manner for the Palmerston Community.


Council Policy Number MEE02 – Committees of Council provides the details and authority regarding committees. It will be recommended that this policy be reviewed by the new Council following the March 2018 Election.

Financial Implications:

The Chief Executive Officer's financial delegations are unlimited on conditions it is within budget.

The Chief Executive Officer can not let a tender unless it is less than \$5 million (Northern Territory Government (NTG) General Instruction No. 4 Procurement).

The sub-delegations from the Chief Executive Officer contain financial delegations to the City of Palmerston Officers for the purpose of community benefit expenditure on good and services.



Legislation/Policy:

The Act requires the CEO of the local government to keep a Register of Delegations made by the Council to a Committee or the CEO, and by the CEO to other employees. This register is maintained by the CEO.

Section 32 of the Local Government Act:-

Delegation

- (1) A council may delegate powers and functions.
- (2) A delegation may be made to:
 - (a) a local authority; or
 - (aa) a local board; or
 - (b) a council committee; or
 - (c) a local government subsidiary; or
 - (d) the CEO.
- (3) However:
 - (a) the power to impose rates cannot be delegated; and
 - (b) if power to incur financial liabilities is delegated the council must fix reasonable limits on the delegate's authority; and
 - (c) a delegation cannot duplicate or derogate from the CEO's functions (including delegated functions).

Recommending Officer:

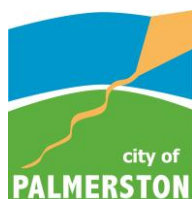
Any queries on this report may be directed to Luccio Cercarelli, Chief Executive Officer on telephone (08) 8935 9922 or email palmerston@palmerston.nt.gov.au

Author: Luccio Cercarelli, Chief Executive Officer

Schedule of Attachments:

Attachment A: FIN07 Financial Delegations





Name:	Financial Delegations		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Manager Financial Services		
Approval Date:	17/05/2016	Next Review Date:	17/05/2017

1 Purpose

Financial Delegations determine financial authority to carry out purchasing, use Council credit cards and approve purchases of subordinate officers.

2 Principles

The City of Palmerston is committed to good governance and financial sustainability. Appropriately formulated and maintained financial delegations, integrated with accounting policies and internal controls, are a cornerstone for ensuring Council expenditures are appropriately controlled and authorised.

3 Definitions

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

Term	Definition

4 Policy Statement

4.1 Corporate Credit Cards

The following financial delegations are made from Council through the Chief Executive Officer pursuant to Section 32 of the Local Government Act, subject to compliance with all legislative requirements and Council policies and procedures, for the use of City of Palmerston corporate credit cards:

Position	Monthly Limit
CCS 001 Director Corporate and Community Services	\$5,000
CCS002 EA to DCCS	\$5,000
CCS003 Community Development Manager	\$5,000
CCS004 Finance Manager	\$5,000
CCS005 Assistant Finance Manager	\$5,000
CCS008 Library Services Manager	\$5,000
CCS012 Human Resource Advisor	\$5,000
EXE001 CEO	\$5,000
EXE002 EA to CEO and Mayor	\$5,000
EXE003 Communications Officer	\$5,000
TECH 001 Director Technical Services	\$5,000
TECH002 EA to DTS	\$5,000
TECH005 Technical Services Manager	\$5,000

4.2 **Purchasing Authority**

The following financial delegations are made from Council through the Chief Executive Officer pursuant to Section 32 of the Local Government Act, subject to compliance with all legislative requirements and Council policies and procedures, for the approval of Purchase Orders and Purchase Invoices, as well as approval of Petty Cash reimbursements:

Officers Approving Orders: Authorisation to approve any purchase order as provided in Council budget or as voted by Council.	
Position	PO and Payment Approval
EXE001 CEO	Unlimited within budget
CCS001 Director Corporate and Community Services	\$200,000
TECH001 Director Technical Services	\$200,000

Officers Approving Orders: Authorisation to approve purchase orders within the officer's area of responsibility and as provided in Council budget or as voted by Council.	
Position	PO and Payment Approval
CCS002 EA to DCCS	\$5,000
CCS003 Community Development Manager	\$5,000
CCS004 Finance Manager	\$10,000
CCS005 Assistant Finance Manager	\$5,000
CCS008 Library Services Manager	\$5,000
CCS009 Library Services Assistant Manager	\$5,000
CCS010 IT Support Coordinator	\$5,000
CCS012 Human Resource Advisor	\$5,000
CCS029 Library Events & Marketing Officer	\$2,000
EXE002 EA to CEO and Mayor	\$5,000
EXE003 Communications Officer	\$5,000
TEC003 Manager Planning and Environment Services	\$10,000
TEC004 Environmental/Emergency Operations Officer	\$10,000
TEC005 Technical Services Manager	\$100,000
TEC006 Civil Operations Team Leader	\$50,000
TEC007 Open Space Team Leader	\$50,000
TEC008 Capital Works Coordinator	\$50,000
TEC010 Major Projects Officer	\$100,000
TEC011 Ranger Services Manager	\$10,000
TEC013 Private Works Officer	\$5,000
TEC014 Facilities & Structures Officer	\$20,000
TEC015 Technical Officer	\$5,000
TEC016 & TEC017 Open Space Maintenance Officers	\$5,000
TEC018 Parks & Gardens Contract Supervisor	\$5,000
TEC034 Ranger Administration Officer	\$1,000
TECH002 EA to DTS	\$5,000

4.3 **Cheque Signatories**

The following financial delegations are made from Council through the Chief Executive Officer pursuant to Section 32 of the Local Government Act, subject to compliance with all legislative requirements and Council policies and procedures, for the signing of cheques:

Cheque Signatories: Authorisation to sign cheques.
Position
EXE001 CEO
CCS001 Director Corporate and Community Services
TEC001 Director Technical Services
CCS004 Finance Manager

4.4 **Exercising Delegated Authority**

- 4.4.1 It is the responsibility of each officer individually to ensure availability of funds and compliance with legislative and policy requirements prior to exercising authority under this delegation.
- 4.4.2 It is the responsibility of each officer approving payment of an invoice to ensure that the goods or services have been received.
- 4.4.3 The delegations outlined within this policy are to be read in conjunction with the Delegations provided for under the City of Palmerston Instrument of Delegations.
- 4.4.4 Financial delegations within this policy may be amended from time to time by the Chief Executive Officer.

5 Associated Documents

- 5.1 City of Palmerston Policies
- 5.2 City of Palmerston Delegations Manual

6 References and Related Legislation

- 6.1 Northern Territory Local Government Act
- 6.2 Northern Territory Local Government (Administration) Regulations
- 6.3 Northern Territory Local Government (Accounting) Regulations
- 6.4 Australian Accounting Standards
- 6.5 Ministerial Guidelines
- 6.6 Local Government General Instructions