

**CITY OF PALMERSTON**

**Minutes of Council Meeting  
held in Council Chambers, Civic Plaza, Palmerston  
on Tuesday, 17 May 2016 at 6.30pm**

**Audio Disclaimer**

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

**1. PRESENT**

**Elected Members:** His Worship the Mayor Ian Abbott (Chair)  
Deputy Mayor Seranna Shutt  
Alderman Andrew Byrne  
Alderman Athina Pascoe-Bell  
Alderman Paul Bunker  
Alderman Geoff Carter  
Alderman Sue McKinnon

**Staff:** Ricki Bruhn, Chief Executive Officer  
Ben Dornier, Director of Corporate and Community Services  
Mark Spangler, Director of Technical Services  
Alyce Breed, Minute Secretary

**Gallery:** 3 members of the public

**2. APOLOGIES**

Nil

**3. CONFIRMATION OF MINUTES**

Moved: Alderman Pascoe-Bell

Seconded: Alderman McKinnon

1. THAT the minutes of the Council Meeting held Tuesday, 3 May 2016 pages 8562 to 8567, be confirmed subject to the following alterations:-

1. Minute Book Page 8563 Item 3.3 – that the word 'Arpril' be replaced with 'April'.
2. Minute Book Page 8563 Item 7.1 – that the passage be amended to:-

**7.1 Compliance Review**

Alderman Pascoe-Bell asked the Acting Chief Executive Officer:

*In regards to the Compliance Review, it is believed to be complete and probably on its way to Council, "When will it be distributed to the Elected Members?"*

The Acting Chief Executive Officer took the question on notice.

3. Minute Book Page 8565 Item 12.3.1 – that the following passage be deleted:-

*THAT the information items contained within the Information Agenda, be received with the exclusion of 12.3.1.*

And replaced with:-

*THAT Council receives Report Number 8/0867.*

2. THAT the minutes of the Special Council Meeting held on Monday, 9 May 2016 pages 8568 to 8570, be confirmed.
3. THAT the minutes of the Special Council Meeting held on Wednesday, 11 May 2016 pages 8571 to 8573, be confirmed.
4. THAT the Confidential minutes of the Special Council Meeting held on Wednesday, 11 May 2016 pages 235 to 236, be confirmed.

**CARRIED 8/1977–17/05/2016**

#### **4. MAYOR'S REPORT**

##### **4.1 Mayor's Report**

**M8-22**

Moved: Alderman McKinnon

Seconded: Alderman Carter

THAT Council receives Report Number M8-22.

**CARRIED 8/1978–17/05/2016**

#### **5. REPORT OF DELEGATES**

Nil

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

##### **6.1 Compliance Review – Question raised by Alderman Athina Pascoe-Bell at the Council Meeting held on 3 May 2016**

In response to the Question raised by Alderman Pascoe-Bell that was taken on notice at the Council Meeting held on 3 May 2016, in regards to the Compliance Review "When will it be distributed to the Elected Members?" – The Chief Executive Officer provided the following response:-

"I received the draft report from the Department of Local Government and Community Services on 28 April 2016. In accordance with the process of a Compliance Review, I have been asked by the Department to provide a written response to the issues raised, including the opportunity to provide supporting information to substantiate my position. The Acting Chief Executive, Lee Williams gave me until the close of business on Monday 16 May 2016 to provide my response – this has been forwarded. Once the final Compliance Review is received from the Department, it will be presented to Council."

## **6.2 Rehabilitation of the Archer Landfill Site**

In response to the Questions raised by Alderman Pascoe-Bell “When will Council make a public announcement on the cost of rehabilitating the Archer landfill?” and “What actions are staff currently undertaking to ensure the City is able to meet this liability?” – The Chief Executive Officer provided the following response:-

In regards to the cost of rehabilitating the Archer landfill “The cost of rehabilitation of the Archer landfill site will not be known until the rehabilitation has been completed. The estimate of cost to undertake the rehabilitation will be publicly available after the first stage contract for rehabilitation works is rewarded. I expect this to be within 3 months.”

In regards to staff actions “Staff have recommended that the rehabilitation works be undertaken in 3 stages over 3 or more years. This approach would enable funds to be sourced from 3 or 4 budget cycles. Staff have also recommended that the design be reviewed with the intent of reducing costs.”

## **6.3 Resignation of the External Chair of the Internal Audit Committee**

In response to the Questions raised by Alderman Pascoe-Bell “Has Council received the resignation of Tim Flynn” and “Will the resignation letter be tabled to Council?” – The Chief Executive Officer provided the following response:-

In regards to receiving the resignation “Yes – the written resignation was received on 20 April 2016.”

In regards to tabling the resignation “The letter of resignation has been included in the Correspondence section of the Agenda for the 16 May 2016 Ordinary Meeting of Council.”

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

### **7.1 Meeting Procedures**

Alderman Byrne asked several questions to the Mayor on meeting procedures.

## **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

The Chair invited Alderman Byrne, Chair of the Governance and Organisation Committee to provide a report to the meeting.

*A verbal report on the Committee Meeting held on 12 May 2016 was presented by Alderman Byrne.*

Moved: Alderman Byrne  
Seconded: Alderman Carter

THAT the minutes from the Governance and Organisation Committee meeting held on 12 May 2016, be received and noted and that Council adopts the recommendations made by the Committee and accordingly resolves as follows:-

#### 11.1.1 Review FIN20 Borrowing Policy

THAT Council adopt the amended FIN20 Borrowing Policy.

#### 11.1.2 Review FIN07 Financial Delegations Policy

THAT Council adopt the amended FIN07 Financial Delegations Policy.

#### 11.1.3 Review FIN24 Chart of Accounts Policy

THAT Council adopt the amended FIN24 Chart of Accounts Policy.

#### 11.1.4 Review FIN23 Credit Card Policy

THAT Council adopt the amended FIN23 Credit Card Policy.

#### 11.1.5 Review FIN01 Finance Policy

THAT Council adopt the amended FIN01 Finance Policy.

#### 11.1.6 Review FIN06 Investment Policy

THAT Council adopt the amended FIN06 Investment Policy.

#### 11.1.7 Tracking Software Package for the Management and Monitoring of Confidential Information

THAT a workshop be organised with Elected Members on the handling and distribution of confidential information within Council and that the outcomes be brought back to the Committee.

**CARRIED 8/1979–17/05/2016**

## **11.2 Economic Development and Infrastructure**

The Chair invited Alderman Bunker, Chair of the Economic Development and Infrastructure Committee to provide a report to the meeting.

*A verbal report on the Committee Meeting held on 12 May 2016 was presented by Alderman Bunker.*

Moved: Alderman Bunker  
Seconded: Alderman McKinnon

THAT the minutes from the Ordinary and Confidential Economic Development and Infrastructure Committee meeting held on 12 May 2016, be received and noted and that Council adopts the recommendations made by the Committee and accordingly resolves as follows:-

### **11.2.1 Goyder Square Operational Costs and Level of Service**

1. THAT Council review the level of service provided in Goyder Square in September 2016 following a dry season operation of the area.
2. THAT all changes in contract services be undertaken by variation to service contracts.
3. THAT additional workload in the Goyder Square area for the council day-labour crew be absorbed/prioritised until such time as a service review be presented to Council.

### **11.2.2 Goyder Square Stage 2 – Garden Plants**

THAT garden beds in Goyder Square containing Iresine, be replanted with the alternative species, Dianella Revolute.

### **11.2.3 Naming of Parks in Zuccoli Stage 2**

1. THAT Council endorses the following park names proposed for Zuccoli Stage 2, sub-stages 2E, 2F and 2H as shown on the plan in Attachment A to the Report EDI/221:
  - Stage 2E Park: Dat Bing Gwa;
  - Stage 2F Park: Dawun Dirra; and
  - Stage 2H: Deleny Gwa
2. THAT the Developer of Zuccoli Stage 2 install park name signage including the name interpretation to the satisfaction of the Director of Technical Services.

**CARRIED 8/1980–17/05/2016**

### **11.3 Community, Culture and Environment**

Moved: Alderman McKinnon  
Seconded: Alderman Pascoe-Bell

THAT the minutes from the Community, Culture and Environment Committee meeting held on 4 May 2016 be received.

**CARRIED 8/1981–17/05/2016**

#### **11.3.1 CDU Scholarships 2016**

Moved: Alderman Pascoe-Bell  
Seconded: Alderman McKinnon

1. THAT following corrected advice from CDU, Council endorses City of Palmerston Scholarships to recipients Janelle Easom, Jessica Anglesey and Mark Munnich.

**CARRIED 8/1982–17/05/2016**

Moved: Alderman Pascoe-Bell  
Seconded: Alderman Carter

2. THAT Council endorse City of Palmerston Conservation Land Management Scholarship to recipient Tiffanie Pearse.

**CARRIED 8/1983–17/05/2016**

## **12. INFORMATION AGENDA**

### **12.1 Items for Exclusion**

Nil

### **12.2 Receipt of Information Reports**

Moved: Alderman Carter  
Seconded: Alderman Bunker

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

**CARRIED 8/1984–17/05/2016**

**13. DEBATE AGENDA**

Moved: Alderman Pascoe-Bell

Seconded: Alderman McKinnon

THAT the Order of Business be altered such that Items 13.1.7 Review of FIN19 Financial Reserve Policy and 13.1.9 Third Budget Review 2015/16 be considered after all other items in the Debate Agenda.

**CARRIED 8/1985–17/05/2016**

**13.1 Officer Reports**

**13.1.1 Tender TS2016/04 – City of Palmerston Civic Plaza Roof Replacement – Stage 1 8/0871**

Moved: Alderman Pascoe-Bell

Seconded: Alderman McKinnon

1. THAT Council receives Report Number 8/0871.
2. THAT Council award contract TS2016/04 – City of Palmerston Civic Plaza Roof Replacement – Stage 1 to Timber and Steel Constructions Pty Ltd for the amount of \$ 125,271.88 (GST exclusive).
3. THAT the Mayor and Chief Executive Officer are granted consent to sign and seal all required contract documentation for the contract TS2016/04 – City of Palmerston Civic Plaza Roof Replacement – Stage 1.

**CARRIED 8/1986–17/05/2016**

**13.1.2 Palmerston Arts Strategy Community Consultation 8/0874**

Moved: Alderman McKinnon

Seconded: Deputy Mayor Shutt

1. THAT Council receives Report Number 8/0874.
2. THAT Council endorses the Palmerston Arts Strategy 2016 – 2021 for Level 2 City Wide Community Consultation.

**CARRIED 8/1987–17/05/2016**

**13.1.3 Council Meetings for June and July 2016** **8/0878**

Moved: Alderman Byrne  
Seconded: Alderman McKinnon

1. THAT Council receives Report Number 8/0878.

**CARRIED 8/1988–17/05/2016**

**Suspension of Standing Orders**

Moved: Alderman Byrne  
Seconded: Alderman McKinnon

THAT Standing Orders be suspended to allow for open discussion.

**CARRIED 8/1989–17/05/2016**

*Standing Orders were suspended at 6:59pm.*

**Reinstatement of Standing Orders**

Moved: Alderman Carter  
Seconded: Alderman Pascoe-Bell

THAT Standing Orders be reinstated.

**CARRIED 8/1990–17/05/2016**

*Standing Orders were reinstated at 7:10pm*

**13.1.3 Council Meetings for June and July 2016 (continued)** **8/0878**

Moved: Alderman McKinnon  
Seconded: Alderman Carter

2. THAT Council adopt the revised locations for Committee Meetings as set out in Report Number 8/0878.

**CARRIED 8/1991–17/05/2016**

**13.1.4 Draft Municipal Plan 2016/2021** **8/0879**

Moved: Alderman Byrne  
Seconded: Deputy Mayor Shutt

1. THAT Council receives Report Number 8/0879.

**CARRIED 8/1992–17/05/2016**

**Suspension of Standing Orders**

Moved: Alderman Byrne  
Seconded: Alderman Bunker

THAT Standing Orders be suspended to allow for open discussion.

**CARRIED 8/1993–17/05/2016**

*Standing Orders were suspended at 7:11pm.*

**Reinstatement of Standing Orders**

Moved: Alderman McKinnon  
Seconded: Deputy Mayor Shutt

THAT Standing Orders be reinstated.

**CARRIED 8/1994–17/05/2016**

*Standing Orders were reinstated at 7:20pm*

**13.1.4 Draft Municipal Plan 2016/2021 (continued) 8/0879**

Moved: Alderman Byrne  
Seconded: Alderman Bunker

2. THAT a workshop be conducted on the Draft Municipal Plan 2016/2021.

**CARRIED 8/1995–17/05/2016**

**13.1.5 Variation to Service Agreement COPAL Project 8/0880**

Moved: Deputy Mayor Shutt  
Seconded: Alderman Carter

1. THAT Council receives Report Number 8/0880.
2. THAT the Mayor and Chief Executive Officer be authorised to sign and seal an extended Service Agreement between Northern Territory Government's Department of Health and City of Palmerston for Childhood Obesity Prevention and Lifestyle (COPAL) Project.

**CARRIED 8/1996–17/05/2016**

**13.1.6 Car Parking Charges** **8/0881**

Moved: Alderman Bunker  
Seconded: Alderman Byrne

1. THAT Council receives Report Number 8/0881.

**CARRIED 8/1997–17/05/2016**

**Suspension of Standing Orders**

Moved: Alderman Bunker  
Seconded: Alderman Carter

THAT Standing Orders be suspended to allow for open discussion.

**CARRIED 8/1998–17/05/2016**

*Standing Orders were suspended at 7:24pm.*

**Reinstatement of Standing Orders**

Moved: Alderman Carter  
Seconded: Alderman McKinnon

THAT Standing Orders be reinstated.

**CARRIED 8/1999–17/05/2016**

*Standing Orders were reinstated at 7:44pm*

**13.1.6 Car Parking Charges (continued)** **8/0881**

Moved: Deputy Mayor Shutt  
Seconded: Alderman Carter

2. THAT the car parking charges be referred to a future workshop of Council.

**CARRIED 8/2000–17/05/2016**

**13.1.8 Financial Report for the Month of April 2016** **8/0883**

Moved: Deputy Mayor Shutt  
Seconded: Alderman McKinnon

1. THAT Council receives Report Number 8/0883.

**CARRIED 8/2001–17/05/2016**

**Suspension of Standing Orders**

Moved: Alderman Byrne  
Seconded: Alderman Carter

THAT Standing Orders be suspended to allow for open discussion.

**CARRIED 8/2002–17/05/2016**

*Standing Orders were suspended at 7:51pm.*

**Reinstatement of Standing Orders**

Moved: Alderman Carter  
Seconded: Deputy Mayor Shutt

THAT Standing Orders be reinstated.

**CARRIED 8/2003–17/05/2016**

*Standing Orders were reinstated at 8:05pm*

**13.1.10 City Centre Improvement Levy**

**8/0885**

Moved: Alderman Bunker  
Seconded: Alderman Byrne

1. THAT Council receives Report Number 8/0885.

**CARRIED 8/2004–17/05/2016**

Moved: Alderman Bunker  
Seconded: Alderman Byrne

2. THAT consultation commence with City Centre land owners regarding the introduction of a City Centre Improvements Levy in 2017/18.

**CARRIED 8/2005–17/05/2016**

Moved: Alderman Pascoe-Bell  
Seconded: Alderman Carter

3. THAT a City Centre Improvement Reserve be established and a reserve policy be forwarded to Council for consideration.

**CARRIED 8/2006–17/05/2016**

**13.1.11 Community Benefits Scheme April 2015/2016** **8/0886**

Moved: Alderman Byrne  
Seconded: Alderman Carter

1. THAT Council receives Report Number 8/0886.

**CARRIED 8/2007–17/05/2016**

Moved: Alderman Byrne  
Seconded: Alderman Pascoe-Bell

2. THAT Council considers the Adelaide 36ers sponsorship for 2015/16 of \$25,000 to be allocated against the events budget.

**CARRIED 8/2008–17/05/2016**

**13.1.7 Review FIN19 Financial Reserve Policy** **8/0882**

Moved: Alderman McKinnon  
Seconded: Alderman Carter

1. THAT Council receives Report Number 8/0882.

**CARRIED 8/2009–17/05/2016**

Moved: Alderman Byrne  
Seconded: Alderman McKinnon

2. THAT Council adopt the amended FIN19 Financial Reserve Policy.

**CARRIED 8/2010–17/05/2016**

**13.1.9 Third Budget Review 2015/16** **8/0884**

Moved: Alderman Pascoe-Bell  
Seconded: Alderman Carter

1. THAT Council receives Report Number 8/0884.

**CARRIED 8/2011–17/05/2016**

Moved: Alderman Pascoe-Bell  
Seconded: Deputy Mayor Shutt

2. THAT Council adopts the 3<sup>rd</sup> Budget Review 2015/16, subject to the removal of transfer of \$70,000 from the Community Grants Reserve pursuant to Section 128 (2) of Local Government Act NT.

**CARRIED 8/2012–17/05/2016**

**14. CORRESPONDENCE**

**14.1 Resignation of Independent Chair – Internal Audit Committee**

Moved: Alderman Bunker  
Seconded: Alderman Byrne

THAT Council receives correspondence in regards to the resignation of the External Chair of the Internal Audit Committee received from Tim Flynn, dated 20 April 2016.

**CARRIED 8/2013–17/05/2016**

**14.2 Minister for Lands and Planning – Draft Palmerston Master Plan 2016**

Moved: Alderman Bunker  
Seconded: Alderman McKinnon

THAT Council receives correspondence from the Hon David Tollner, Minister for Lands and Planning, dated 20 April 2016 in regards to the lodgement of the Palmerston City Centre Master Plan as a reference document in the NT Planning Scheme.

**CARRIED 8/2014–17/05/2016**

**15. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

**15.1 Response to Previous Public Questions from Council Meeting held on 3 May 2016** **8/0876**

Moved: Alderman Byrne  
Seconded: Alderman Bunker

That Council receives Report Number 8/0876.

**CARRIED 8/2015–17/05/2016**

**16. PUBLIC QUESTION TIME**

*At the invitation of the Chair*

A suggestion was made to Council to consider the use of boom gates in Council car parks, the Mayor advised the suggestion will be considered.

**17. OTHER BUSINESS - ALDERMAN REPORTS**

*Alderman Byrne declared a conflict of interest and left the Chambers at 8.28pm.*

**17.1 Tender TS2016/05 – Construction of Roundabout – Temple Terrace/Emery Avenue 8/0888**

Moved: Alderman Bunker  
Seconded: Alderman Pascoe-Bell

1. THAT Council accept the late report.

**CARRIED 8/2016–17/05/2016**

Moved: Alderman Carter  
Seconded: Alderman Bunker

2. THAT Council receives Report Number 8/0888.

**CARRIED 8/2017–17/05/2016**

Moved: Alderman Bunker  
Seconded: Alderman Carter

3. THAT Council award Contract TS2016/05 Construction of Roundabout – Temple Terrace/Emery Avenue to JLM Construction Pty Ltd for the sum of \$645,397.10.
4. THAT the Mayor and Chief Executive Officer are granted consent to sign and seal all required contract documentation for the contract TS2016/05 – Construction of Roundabout – Temple Terrace/Emery Avenue.

**CARRIED 8/2018–17/05/2016**

*Alderman Byrne returned to Chambers at 8.38pm.*

**17.2 Alderman McKinnon**

Discussed suggestions on the City of Palmerston Vision, Mission and Values Statements. It was suggested to continue this discussion during a workshop for the Municipal Plan.

**17.3 Alderman Carter**

Provided an update on a recent visit to the Top End Medical Centre and Memorial Service to commemorate the 74<sup>th</sup> Anniversary of the Battle of the Coral Sea. An update was provided on the Bringing Them Home Campaign and a discussion was held about the My Council App.

#### 17.4 Deputy Mayor Shutt

Provided an update on recent events attended including Citra Indonesian Festival and Palmerston Markets, continuing to encourage residents to take part in the consultation for playground fencing at parks as well as an online webinar for Marlow Dog Park. Also looking into the Australia Breastfeeding Project for NT.

### 18. CONFIDENTIAL REPORTS

Moved: Alderman Carter  
Seconded: Alderman Pascoe-Bell

#### 18.1 Confirmation of Confidential Minutes – 3 May 2016

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director of Technical Services, Director of Corporate and Community Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the Confirmation of Confidential Minutes – 3 May 2016 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:

(e) information provided to the council on condition that it be kept confidential.

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

2. THAT Council orders that the minutes from the Confidential Council meeting held on 17 May 2016, in relation to confidential item number 18.1 Confirmation of Confidential Minutes – 3 May 2016, remain confidential and not available for public inspection.

#### 18.2 Sale of Land – Lot 10024, Palmerston Circuit, Palmerston - Update 8/0877

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director of Technical Services, Director of Corporate and Community Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report and associated documents in relation to confidential agenda item 18.2 Sale of Land – Lot 10024, Palmerston Circuit, Palmerston - Update 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:

**18.2 Sale of Land – Lot 10024, Palmerston Circuit, Palmerston – Update  
(Continued) 8/0877**

- (i) cause commercial prejudice to, or confer an unfair commercial advantage on, any person

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 17 May 2016, in relation to confidential item number 18.2 Sale of Land – Lot 10024, Palmerston Circuit, Palmerston – Update, the report and associated documentation remain confidential and not available for public inspection.

**18.3 Appointment of Independent Chair – Internal Audit Committee 8/0887**

- 1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director of Technical Services, Director of Corporate and Community Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report and associated documents in relation to confidential agenda item 18.3 Appointment of Independent Chair – Internal Audit Committee 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;

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

- 2. THAT Council orders that the minutes from the Confidential Council meeting held on 17 May 2016, in relation to confidential item number 18.3 Appointment of Independent Chair – Internal Audit Committee, the report and associated documentation remain confidential and not available for public inspection for a period of 12 months from the date of this meeting or a lesser period as determined by the Chief Executive Officer.

**18.4 Lot 9542, Georgina Crescent, Yarrawonga – Correspondence**

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director of Technical Services, Director of Corporate and Community Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the correspondence in relation to confidential agenda item 18.4 Lot 9542, Georgina Crescent, Yarrawonga – Correspondence 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

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 17 May 2016, in relation to confidential item number 18.4 Lot 9542, Georgina Crescent, Yarrawonga – Correspondence remain confidential and not available for public inspection for a period of 12 months from the date of this meeting or a lesser period as determined by the Chief Executive Officer.

**CARRIED 8/2019–17/05/2016**

**The meeting moved into the Confidential Session at 8:48pm**

**AJOURNMENT**

Moved: Alderman McKinnon  
Seconded: Alderman Pascoe-Bell

THAT the meeting be adjourned for 20 minutes.

**CARRIED 8/2020–17/05/2016**

**RECONVENED**

Moved: Alderman McKinnon  
Seconded: Alderman Carter

THAT the meeting be reconvened.

**CARRIED 8/2021–17/05/2016**

The meeting reconvened at 9:11pm

**18.4 Moving decisions from the Confidential Session into the Open Session**

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

**Appointment of Independent Chair – Internal Audit Committee 8/0887**

1. THAT Council receives Report Number 8/0887.
2. THAT Council offer the position of Independent Chair of the Internal Audit Committee to Mr Iain Summers for an initial term of two years.
3. THAT the resolutions only be released to the Public Record.

**19. CLOSURE**

Meeting closed at 10.32pm

---

(Chair)

ITEM NO. 17.1 Tender TS2016/05 – Construction of Roundabout - Temple Terrace/Emery Avenue

FROM: Director of Technical Services

REPORT NUMBER: 8/0888

MEETING DATE: 17 May 2016

Municipal Plan:

**3. Environment & Infrastructure**

**3.2 Assets and Infrastructure**

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

Summary:

This report seeks that Council award Contract TS2016/05 - Construction of Roundabout – Temple Terrace/Emery Ave to JLM Construction Pty Ltd for the sum of \$ 645,397.10.

Background:

The intersection of Temple Terrace and Emery Avenue has been identified as a “Blackspot” requiring treatment to improve road safety.

Design was undertaken to provide a two lane roundabout. The roundabout maintained the two lane level of service provided by Temple Terrace and required a significant redesign of the street lighting at the intersection.

A single lane roundabout was considered as an alternate option when the tender prices received exceeded the available budget. A single lane roundabout offers the same improvement in vehicular safety as the two lane option.

To compare roundabout options a traffic growth rate of 3% per year was applied to existing volumes. At this growth rate a single lane roundabout failed somewhere between the 10<sup>th</sup> and 20<sup>th</sup> year. A two lane roundabout with the same growth rate demonstrated a failure in the 20 to 30 year period. Staff consider that a 3% growth rate is conservative and that works could be undertaken to extend the life of the single lane roundabout as failure approached sometime in the future.

It was considered that the reduction in level of service was acceptable in order to achieve budget on this project. The additional lane and improvements to street lighting that are required for a two lane roundabout can be retro-fitted at a later date should increases in traffic density require them.

General:

The Local Government (Accounting) Regulations – Reg 29 states ;

*Tenders*

*(1) A council must not enter into a contract for the provision of supplies to the council at a cost of more than \$100 000, unless it has first called for tenders for that contract by public notice published in a newspaper circulating in the council's area.*

Tenders for the construction of a two lane roundabout at the intersection of Emery Avenue and Temple Terrace Gray were advertised for three weeks and closed on 7 April 2016.

Two tenders were received:

BMD Urban	\$998,162.00
JLM Civil Works Pty Ltd	\$984,691.97

The tendered prices exceeded the budget estimate.

The scope of works were adjusted and the tenderers were requested to resubmit their tender based on the revised scope of works. The revised tender prices are;

JLM Civil Works Pty Ltd	\$645,397.10
BMD Urban	\$706,908.89

A tender evaluation has been undertaken on the revised scope of works in accordance with Council's tender assessment procedure. Both JLM Civil Works Pty Ltd and BMD Urban are considered capable of delivering this project in accordance with the contract documentation. The tender evaluation panel after giving due consideration to the following criteria;

- Local Industry
- Past performance and Experience
- Resources
- Methodology, Knowledge and Skills
- Tendered Price

has recommended that JLM Civil Works Pty Ltd be awarded Contract TS2016/05 Construction of Roundabout – Temple Terrace/Emery Avenue at a sum of \$645,397.10 excluding GST.

Financial Implications:

Funding previously approved by Council and contained in the 2015/16 capital works budget is as follows:

Blackspot grant funding	\$500,000
Roads to Recovery grant funding	\$138,830
Council Funding	\$ 61,170
Available Budget	<u>\$750,000</u>

The project scope of works as revised can be constructed within the limits of the current budget.

Legislation / Policy:

The project was tendered in accordance with the requirements of the Local Government (Accounting) Regulations and through negotiation with the tenders on price and a revised scope of works a contract can now be entered into.

RECOMMENDATION

1. THAT Council receives Report Number 8/0888.
2. THAT Council award Contract TS2016/05 Construction of Roundabout – Temple Terrace/Emery Avenue to JLM Construction Pty Ltd for the sum of \$645,397.10.
3. THAT the Mayor and Chief Executive Officer are granted consent to sign and seal all required contract documentation for the contract TS2016/05 – Construction of Roundabout – Temple Terrace/Emery Avenue.

Recommending Officer: Mark Spangler, Director of Technical Services

Any queries on this report may be directed to Mark Spangler, Director of Technical Services on telephone (08) 8935 9958 or email [mark.spangler@palmerston.nt.gov.au](mailto:mark.spangler@palmerston.nt.gov.au).

Report Author: Michael Staunton, Capital Works Coordinator.

Schedule of Attachments:

Nil