

CITY OF PALMERSTON

**Minutes of Council Meeting
held in Council Chambers
Civic Plaza, Palmerston
on Wednesday 8 November 2017 at 6.30pm.**

Mark Blackburn
Official Manager

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

Elected Members:	Mark Blackburn, Official Manager
Staff:	Cathryn Hutton, Chief Executive Officer Chris Kelly, Director of Corporate Services Mark Spangler, Director of Technical Services Kylie Hendry, Minute Secretary Shane Nankivell, Finance Manager
Gallery:	5 members of the public Lauren Roberts, NT News

2 APOLOGIES

Nil.

3 CONFIRMATION OF MINUTES

1. THAT the minutes of the Council Meeting held Tuesday, 17 October 2017 pages 9426 to 9434, be confirmed.
2. THAT the Confidential minutes of the Council Meeting held Tuesday, 17 October 2017 pages 341 to 342, be confirmed.

CARRIED 8/2936 – 08/11/2017

4 OFFICIAL MANAGER REPORT

4.1 Official Manager's Report

M8-5

THAT Council receives Report Number M8-5.

CARRIED 8/2937 – 08/11/2017

4.2 Chief Executive Officer Appointment

M8-6

1. THAT Council receives Report Number M8-6.
2. THAT Council appoint Cathryn Hutton as the Chief Executive Officer from 1 November 2017 to 19 January 2018 with option to extend.

CARRIED 8/2938 – 08/11/2017

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.

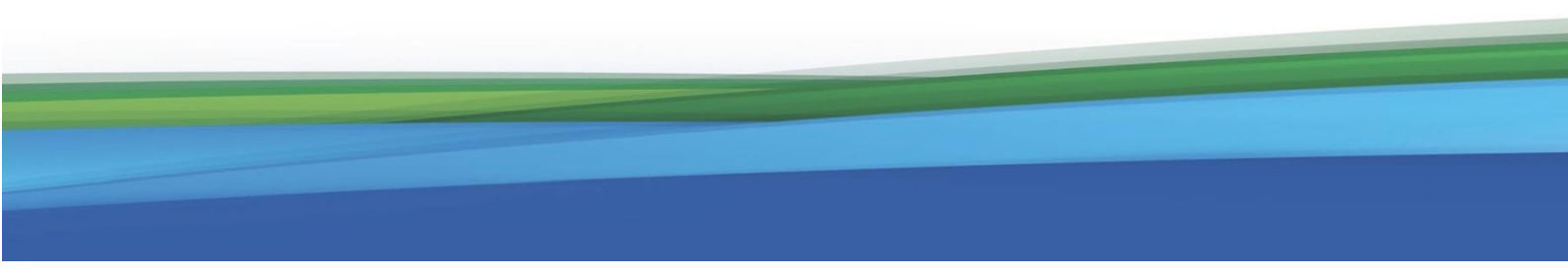
11 COMMITTEE RECOMMENDATIONS

11.1 Governance and Organisation

Nil.

11.2 Economic Development and Infrastructure

Nil.



11.3 Community Culture and Environment

Nil.

11.4 Risk Management and Audit Committee

THAT Council receives the minutes from the Risk Management and Audit Committee meeting held on 23 October 2017.

CARRIED 8/2939 – 08/11/2017

12 INFORMATION AGENDA

12.1 Items for Exclusion

Nil.

12.2 Receipt of Information Reports

12.3.1 Action Report 8/1346

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

CARRIED 8/2940 – 08/11/2017

12.3.2 Liquor Licence Application – Liquorland, Oasis Shopping Centre, Lot 1219 (15)
Temple Terrace, Palmerston City 8/1356

1. THAT the matter “Liquor Licence Application – Liquorland, Oasis Shopping Centre, Lot 1219 (15) Temple Terrace, Palmerston” be retrieved from the table.
2. THAT Council receives the Correspondence dated 9 October 2017 from the Manager, Liquor, Gambling & Racing.

CARRIED 8/2941 – 08/11/2017

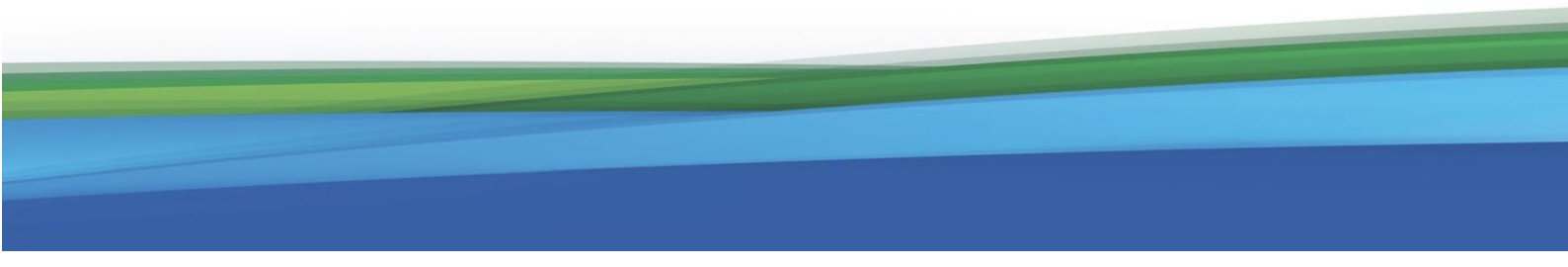
13 DEBATE AGENDA

13.1 Officer Reports

13.1.1 Financial Sustainability Ratios 8/1348

1. THAT Council receives Report Number 8/1348.
2. THAT Financial ratios that are consistent with the annual report are included in Council's future municipal plans and monthly financial reports.

CARRIED 8/2942 – 08/11/2017



13.1.2 HPA Incorporated Rate Concession

8/1349

1. THAT Council receives Report Number 8/1349.
2. THAT Council approves a rate concession for HPA Incorporated in waiving the annual rates 2017/2018 for 46 Toupein Road, Yarrowonga.

CARRIED 8/2943 - 08/11/2017

13.1.3 Naming of Park on Lot 10011 Miller Court, Gunn

8/1350

1. THAT Council receives Report Number 8/1350.
2. THAT Council supports the recommendation of the Place Names Committee in the naming of Lot 10011, 8 Miller Court, Gunn Tom Price Park.

CARRIED 8/2944 - 08/11/2017

13.1.4 Annual Report 2016/2017

8/1351

1. THAT Council receives Report Number 8/1351.
2. THAT Council adopt the Annual Report 2016/2017 as amended with the administrative changes presented at the meeting.
3. THAT the Chief Executive Officer be instructed to send the Annual Report 2016/2017 to the Minister for Housing and Community Development on or before 15 November 2017.

CARRIED 8/2945 - 08/11/2017

13.1.5 Community Benefits Scheme – November 2017

8/1352

THAT Council receives Report Number 8/1352.

CARRIED 8/2946 - 08/11/2017

13.1.6 Affixation of Common Seal – General Consent for Gateway – Yarrawonga Road Easements 8/1354

8/1354

1. THAT Council receives Report Number 8/1354.
2. THAT Council gives General Consent for the Right of Way Easement 'B' in favour of Council on Lot 7765 as shown on Attachment A-Plan No: 72353/03 Rev 0.
3. THAT Council gives General Consent for the Right of Way Easement 'B' in favour of Council on Lot 7766 as shown on Attachment B-Plan No: 72353/05 Rev 0.
4. THAT Council gives General Consent for the Right of Way Easement 'B' in favour of Council on Lot 11037 as shown on Attachment C-Plan No: 72353/04 Rev 0.

13.1.6 Affixation of Common Seal – General Consent for Gateway – Yarrawonga Road Easements (continued) 8/1354

5. THAT Council gives General Consent for the Drainage Easement in favour of Council on Lot 7766 as shown on Attachment D-Plan No: 71947/03 Rev 0.
6. THAT Council authorise the Official Manager and Chief Executive Officer to sign and seal form 93, General Consent for the Right of Way Easement for the subject Lots 7765, 7766 and 11037, Town of Palmerston or should they be consolidated their future lot.
7. THAT Council authorise the Official Manager and Chief Executive Officer to sign and seal form 93, General Consent for the Drainage Easement for Lot 7766, Town of Palmerston or should they be consolidated their future lot.

CARRIED 8/2947 – 08/11/2017

13.1.7 Digital Strategy 8/1357

1. THAT Council receives Report Number 8/1357.
2. THAT Council adopt the Digital Strategy, as amended, at Attachment A to Report Number 8/1357.
3. THAT Council refer the identification of year 2 Digital Strategy Initiatives to the 2018/19 budget process.

CARRIED 8/2948 – 08/11/2017

13.1.8 Elected Member Training and Induction 8/1358

1. THAT Council receives Report Number 8/1358.
2. THAT Council adopt the Elected Member Training and Induction Policy EM06, at Attachment A to Report Number 8/1358.
3. THAT pursuant to Section 32 (2) of the Local Government Act (2008 as amended) Council delegates to the Chief Executive Officer the power to implement all aspects of the Elected Member Training and Induction Policy including the setting of times and dates for workshops and sessions.
4. THAT regular public information sessions outlining the roles and responsibilities of an Elected Member be held in the lead up to the 2018 general election, commencing in November 2017.

CARRIED 8/2949 – 08/11/2017

14 CORRESPONDENCE

Nil.

15 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

15.1 Response to Previous Public Questions from Council Meeting held 17 October 2017 8/1353

THAT Council receives Report Number 8/1353.

CARRIED 8/2950 – 08/11/2017

16 PUBLIC QUESTION TIME

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

Nil

17 OTHER BUSINESS

Nil.

18 CONFIDENTIAL REPORTS

18.1 Confidential Action Report

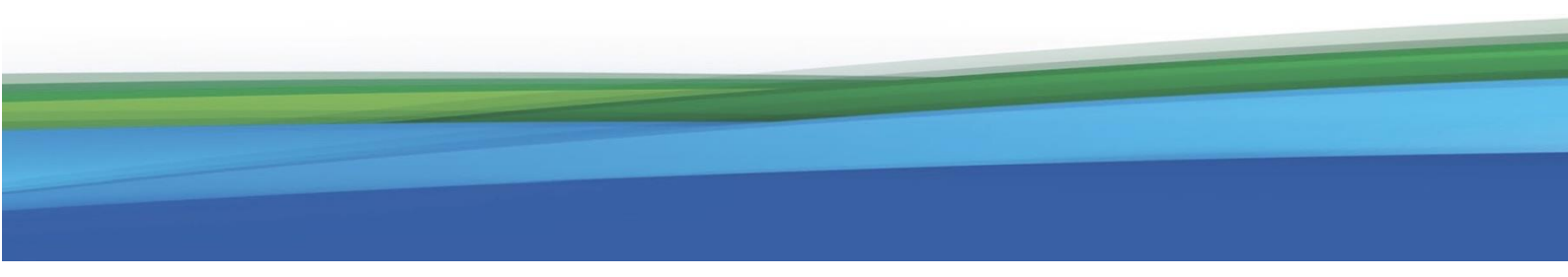
8/1347

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 Community Services, Director of Corporate Services, Investigator 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 Confidential Action Report 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 report from the Confidential Council Meeting held on 8 November 2017 in relation to item number 18.1 Confidential Action Report remain confidential and not available for public inspection.



18.2 Enquiries Received from the Ombudsman Office – Stormwater Drain and Infringement Notices for Dog Attacks 8/1355

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 Community Services, Director of Corporate Services, Investigator 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 Enquiries Received from the Ombudsman Office – Stormwater Drain and Infringement Notices for Dog Attacks 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.

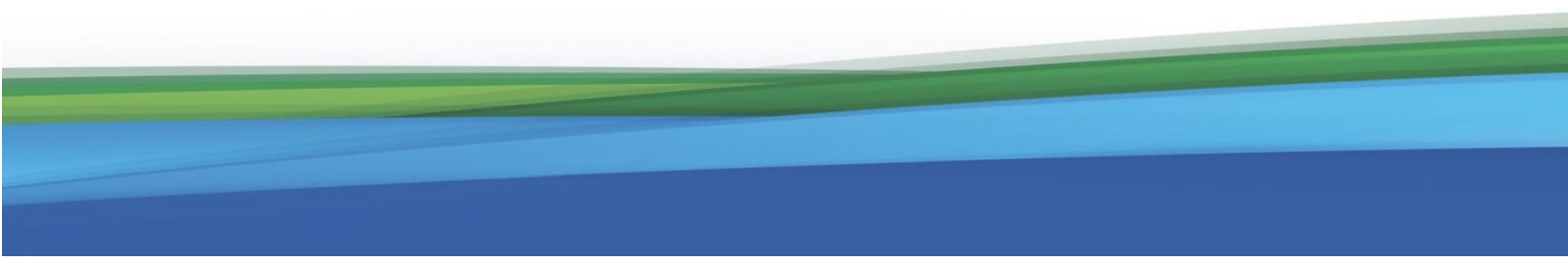
2. THAT Council orders that the minutes from the Confidential Council Meeting held on 8 November 2017, in relation to item number 18.2 Enquiries Received from the Ombudsman Office – Stormwater Drain and Infringement Notices for Dog Attacks the report and associated documents remain confidential and not available for public inspection.

CARRIED 8/2951 – 08/11/2017

The meeting moved into the Confidential Session at 7.13pm.

19 CLOSURE

Meeting closed at 7.13pm



CONFIDENTIAL COUNCIL MINUTES

RELEASED TO THE PUBLIC RECORD

CITY OF PALMERSTON

**Confidential Minutes of Council Meeting
held in Council Chambers
Civic Plaza, Palmerston
on Tuesday 4 October 2016 at 7.44pm.**

ORIGINAL MINUTES SIGNED

Mayor Ian Abbott
Chair

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

1 PRESENT

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

2 APOLOGIES

Nil.

3 DEPUTATIONS / PRESENTATIONS

Nil.



4 OFFICER REPORT

4.1 Financial Hardship Application Assessment 105820 8/0991

Moved: Alderman McKinnon
Seconded: Alderman Pascoe-Bell

1. THAT Council receives Report Number 8/0991.
2. THAT Council approves remission of interest for the period 2 September 2016 to 30 June 2017 for assessment 105820 under the conditions of the rates concession policy FIN17.
3. THAT the resolutions only come back to the open session.

CARRIED 8/2278 – 04/10/2016

4.2 Financial Hardship Application Assessment 111649 8/0992

Moved: Alderman Pascoe-Bell
Seconded: Deputy Mayor Shutt

1. THAT Council receives Report Number 8/0992.
2. THAT Council approves remission of interest for the period 12 September 2016 to 30 June 2017 for assessment 111649 under the conditions of the rates concession policy FIN17.
3. THAT the resolutions only come back to the open session.

CARRIED 8/2279 – 04/10/2016

5 MOVE TO OPEN

Moved: Alderman Byrne
Seconded: Alderman Pascoe-Bell

THAT the Council move into the open session.

CARRIED 8/2280 – 04/10/2016

The meeting moved to the Open Session at 7:46pm.



CONFIDENTIAL COUNCIL MINUTES

RELEASED TO THE PUBLIC RECORD

CITY OF PALMERSTON

**Confidential Minutes of Council Meeting
held in Council Chambers
Civic Plaza, Palmerston
on Tuesday 18 October 2016 at 8.00pm.**

ORIGINAL MINUTES SIGNED

Mayor Ian Abbott
Chair

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

1 PRESENT

Elected Members:	His Worship the Mayor Ian Abbott (Chair) Alderman Athina Pascoe-Bell Alderman Andrew Byrne Alderman Paul Bunker Alderman Sue McKinnon
Staff:	Ricki Bruhn, Chief Executive Officer Mark Spangler, Director of Technical Services Alyce Breed, Minute Secretary
Gallery:	Nil

2 APOLOGIES

Deputy Mayor Shutt – On Council Business

ACCEPTANCE OF APOLOGIES AND LEAVE OF ABSENCE

Moved:	Alderman Pascoe-Bell
Seconded:	Alderman McKinnon

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

CARRIED 8/2303 – 18/10/2016

3 DEPUTATIONS / PRESENTATIONS

Nil.

4 OFFICER REPORT

4.1 YMCA Consolidation

8/1003

Moved: Alderman Bunker
Seconded: Alderman Pascoe-Bell

THAT Council receives Report Number 8/1003.

CARRIED 8/2304 – 18/10/2016

5 MOVE TO OPEN

Moved: Alderman Pascoe-Bell
Seconded: Alderman McKinnon

THAT the Council move into the open session.

CARRIED 8/2305 – 18/10/2016

The meeting moved to the Open Session at 8:01pm.



CONFIDENTIAL COUNCIL MINUTES

RELEASED TO THE PUBLIC RECORD

CITY OF PALMERSTON

**Confidential Minutes of Council Meeting
held in Council Chambers
Civic Plaza, Palmerston
on Tuesday 1 November 2016 at 7.01pm.**

ORIGINAL MINUTES SIGNED

Mayor Ian Abbott
Chair

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

1 PRESENT

Elected Members:	His Worship the Mayor Ian Abbott (Chair) Deputy Mayor Seranna Shutt Alderman Athina Pascoe-Bell Alderman Paul Bunker 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:	Ron Mell, Chief Executive Officer, YMCA Top End Michael Robinson, Health and Fitness Manager YMCA Top End

2 APOLOGIES

Alderman Byrne – Apology

ACCEPTANCE OF APOLOGIES AND LEAVE OF ABSENCE

Moved: Alderman Pascoe-Bell
Seconded: Deputy Mayor Shutt

THAT the apology received from Alderman Byrne be received and granted.

CARRIED 8/2319 – 01/11/2016

3 DEPUTATIONS / PRESENTATIONS

3.1 YMCA of the Top End

Presentation by Ron Mell, Chief Executive Officer YMCA Top End and Michael Robinson, Health and Fitness Manager YMCA Top End.

Ron Mell and Michael Robinson left Chambers at 7:42pm.

4 OFFICER REPORT

4.1 Multistorey Car Park Proposal for Lot 10024

8/1015

Moved: Alderman McKinnon
Seconded: Alderman Pascoe-Bell

1. THAT Council receives Report Number 8/1015.

CARRIED 8/2320 – 01/11/2016

Moved: Deputy Mayor Shutt
Seconded: Alderman Bunker

2. THAT the subdivision of Lot 9629 be undertaken to the point where a development permit is issued.
3. THAT Council approves in principle the closure and sale of the portion of Hillson Street shown in Attachment C to Report Number 8/1015 subject to an acceptable agreed price being reached.
4. THAT both the portion of closed road reserve on Hillson Street and the subdivided portion of 9629 be valued.

CARRIED 8/2321 – 01/11/2016

Moved: Alderman Bunker
Seconded: Deputy Mayor Shutt

5. THAT the Director of Corporate and Community Services provide a financial model to Council for the funding of a multistorey carpark and prepare a loan application for the consideration of the Minister for Housing and Community Development in accordance with the Local Government Act.

CARRIED UNANIMOUSLY 8/2322 – 01/11/2016

5 MOVE TO OPEN

Moved: Alderman McKinnon
Seconded: Alderman Pascoe-Bell

THAT the Council move into the open session.

CARRIED 8/2323 – 01/11/2016

The meeting moved to the Open Session at 9:10pm.



RELEASED TO THE PUBLIC RECORD

CITY OF PALMERSTON

**Confidential Minutes of Council Meeting
held in Council Chambers
Civic Plaza, Palmerston
on Tuesday 15 November 2016 at 8.05pm.**

ORIGINAL MINUTES SIGNED

Acting Mayor Seranna Shutt
Chair

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

1 PRESENT

Elected Members:	Acting Mayor Seranna Shutt (Chair) Alderman Andrew Byrne Alderman Sue McKinnon Alderman Paul Bunker Alderman Athina Pascoe-Bell
Staff:	Ricki Bruhn, Chief Executive Officer Ben Dornier, Director of Corporate and Community Services Mark Spangler, Director of Technical Services Maxie Smith, Minute Secretary
Gallery:	Gerard Rosse, Manager Planning and Environment Services

2 APOLOGIES

Mayor Abbott – Leave of Absence

ACCEPTANCE OF APOLOGIES AND LEAVE OF ABSENCE

Moved: Alderman McKinnon
Seconded: Alderman Pascoe Bell

THAT the leave of absence received from Mayor Abbott be received and granted.

CARRIED 8/2345 – 15/11/2016

3 DEPUTATIONS / PRESENTATIONS

Nil

4 OFFICER REPORT

4.1 Financial Hardship Application – 107940**8/1020**

Moved: Alderman Bunker
Seconded: Alderman McKinnon

1. THAT Council receives Report Number 8/1020.
2. THAT Council approves remission of interest for the period 20 October 2016 to 30 June 2017 for assessment 107940 under the conditions of the rates concession policy FIN17.
3. THAT the resolutions only come back to the open session.

CARRIED 8/2346 – 15/11/2016**4.2 Financial Hardship Application – 102837****8/1021**

Moved: Alderman Bunker
Seconded: Alderman McKinnon

1. THAT Council receives Report Number 8/1021.
2. THAT Council approves remission of interest for the period 7 September 2016 to 30 June 2017 for assessment 102837 under the conditions of the rates concession policy FIN17.
3. THAT the resolutions only come back to the open session.

CARRIED 8/2347 – 15/11/2016**4.3 Financial Hardship Application - 107038****8/1023**

Moved: Alderman Bunker
Seconded: Alderman Pascoe Bell

1. THAT Council receives Report Number 8/1023.
2. THAT Council approves remission of interest for the period 17 October 2016 to 30 June 2017 for assessment 107038 under the conditions of the rates concession policy FIN17.
3. THAT the resolutions only come back to the open session.

CARRIED 8/2348 – 15/11/2016

4.4 Power to Sell Land – Assessments 100113 and 107951

8/1024

Moved: Alderman Bunker

Seconded: Alderman Byrne

1. THAT Council receives Report Number 8/1024.

CARRIED 8/2349 – 15/11/2016

Moved: Alderman McKinnon

Seconded: Alderman Bunker

2. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 100113.
3. THAT Council approves the recommended process of power of sale of land for non-payment of rates for Assessment 107951.
4. THAT the Mayor and Chief Executive Officer be authorised to sign and seal all documentation in relation to the sale of land for non-payment of rates for the above-mentioned properties.

CARRIED 8/2350 – 15/11/2016

4.5 Multistorey Carpark – Update

8/1029

Moved: Alderman Byrne

Seconded: Alderman Bunker

1. THAT Council receives Report Number 8/1029.

CARRIED 8/2351 – 15/11/2016

Moved: Alderman Bunker

Seconded: Alderman Byrne

2. THAT Council offers for sale (subject to development consent for a mixed use development over lot 10024 and part portion 9609 which includes a public carpark) a portion of Lot 9609 at a price of \$1,402 per m2 and offers for sale a portion of the Hillson Street Road Reserve at a price of \$800 per m2 to the owner of Lot 10024.
3. THAT Council agrees in principle to enter into a contract with the LK Athanasiou Group for the purchase of a multistorey carpark on the future combined lot at a cost of \$1,203 per m2 excluding the land value and GST.
4. THAT the Chief Executive Officer arrange for the preparation of a sale and purchase contract that includes as a minimum the following provisions: -
 - The sale of Lot 9609 will only proceed subject to the purchase of a multistorey carpark over the combined lot;
 - All land consolidation costs being borne by the purchaser;
 - Subject to council's borrowing for the project being approved by the Northern Territory Government;
 - The purchase price of the carpark being \$1,203 per m2 excluding the value of the land;

4.5 Multistorey Carpark – Update (continued)

8/1029

- The purchase price of land associated with the carpark being proportioned based on the ratio of gross floor area of the site to the gross floor area of the carpark and the total land purchase price less land related administration costs incurred by the developer;
- Subject to the clearance of the conditions of the subdivision development permit for Lot 9609.

CARRIED 8/2352 – 15/11/2016

DIVISION

Alderman Pascoe-Bell called a division – as a consequence the result of the above motion was set aside.

Upon dividing, 4 members voted in the affirmative, 1 member voted in the negative.

Members Voting in the Affirmative

Deputy Mayor Shutt
Alderman Bunker
Alderman Byrne
Alderman McKinnon

Members Voting in the Negative

Alderman Pascoe-Bell

The Chair declared the motion CARRIED

4.6 Sale of Part Lot 9609

8/1031

Moved: Alderman McKinnon
Seconded: Alderman Bunker

THAT Council receives Report Number 8/1031.

CARRIED 8/2353 – 15/11/2016

4.7 Sale of Yarrawonga Land Lot 9542 – Governance and Organisation Committee Recommendation

Moved: Alderman Byrne
Seconded: Alderman Bunker

THAT a legal opinion is sought regarding the manner in which lot 9542 was sold and the legal opinion be brought back to the Governance and Organisation Committee.

Moved: Alderman Pascoe-Bell
Seconded: Alderman McKinnon

THAT the motion be put.

CARRIED 8/2354 – 15/11/2016

The Motion was put by the Chair and was CARRIED 8/2355 – 15/11/2016



DIVISION

Alderman Byrne called a division – as a consequence the result of the above motion was set aside.

Upon dividing, 4 members voted in the affirmative, 1 member voted in the negative.

Members Voting in the Affirmative

Deputy Mayor Shutt

Alderman Bunker

Alderman Byrne

Alderman McKinnon

Members Voting in the Negative

Alderman Pascoe-Bell

The Chair declared the motion CARRIED

5 MOVE TO OPEN

Moved: Alderman Pascoe Bell

Seconded: Alderman Byrne

THAT the Council move into the open session.

CARRIED 8/2356 – 15/11/2016

The meeting moved to the Open Session at 9:00pm.

