

**CITY OF PALMERSTON**

**Minutes of Council Meeting  
held in Council Chambers, Civic Plaza, Palmerston  
on Tuesday, 18 August 2015 at 6.30pm**

**Audio Disclaimer**

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**1. PRESENT**

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

**Staff:** Ricki Bruhn, Chief Executive Officer  
Jan Peters, Acting Director of Community Services  
Silke Reinhardt, Acting Director of Corporate Services  
Mark Spangler, Director of Technical Services  
Alyce Breed, Minute Secretary

**Gallery:** Gary Boyle, Major Projects Officer  
Renee Williams, Acting Manager Community Development  
Ahmed El Safty, Principal Engineer & CEO Zero Energy  
Developments  
Brian Romer Managing Director Shanghai-Australia  
Investments Pty Ltd  
15 members of the public

**2. APOLOGIES**

Nil

**3. CONFIRMATION OF MINUTES**

Moved: Alderman Bunker  
Seconded: Deputy Mayor McKinnon

1. THAT the minutes of the Council Meeting held Tuesday, 4 August 2015 pages 8042 to 8046 be confirmed.
2. THAT the minutes of the Confidential Council Meeting held Tuesday, 4 August 2015 pages 186 to 187 be confirmed.

**CARRIED 8/1617-18/08/2015**

**4. MAYOR'S REPORT**

Mayor Abbott invited Alderman Malone to speak.

*Alderman Malone addressed Council and resigned from her position, effective immediately and left Chambers at 6.35pm.*

The Mayor provided a verbal report to the Council.

**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**

**9.1 Distributed Renewable Energy Systems & the Future of Evs**

Ahmed El Safty, Principal Engineer & CEO Zero Energy Developments and Brian Romer Managing Director Shanghai-Australia Investments Pty Ltd.

**10. CONSIDERATION OF MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN**

Nil

**11. COMMITTEE RECOMMENDATIONS**

Moved: Alderman Byrne

Seconded: Alderman Carter

**11.1 Governance and Organisation**

THAT the minutes from the Governance and Organisation Committee meeting held on 13 August 2015 be received and noted and that Council adopts the recommendations made by the Committee with the exclusion of 11.1.2 and accordingly resolves as follows:

**11.1.1 Review of Financial Policies FIN18 and FIN19**

1. THAT Council approve the amended FIN18 Grants, Donations, Scholarships and Sponsorships Policy.

### 11.1.1 Review of Financial Policies FIN18 and FIN19 (continued)

2. THAT Council approve the amended FIN19 Financial Reserves Policy.

### 11.1.2 City of Palmerston Development Guideline

THAT Council adopts the City of Palmerston Development Guideline reference R-RD0845 Rev 0.1 dated 25 June 2015 and attached to Report Number GOC/0094.

**CARRIED 8/1619–18/08/2015**

### 11.1.3 Public Question Time

Moved: Alderman Byrne  
Seconded: Alderman Bunker

1. THAT Council adopts the following Public Question Time procedure:

1. *Public question time will only be applicable to Ordinary Council Meetings.*
2. *Public question time will be limited to 15 minutes but may be extended at the discretion of the Chairman.*
3. *Public question time will be held immediately following “Response to Previous Public Questions Taken on Notice” in the meeting agenda.*
4. *Questions will be limited to two (2) per person per meeting and preferably be provided on the approved form which is available on Council’s website and at the customer service desk at the Library and Civic Plaza.*
5. *A person submitting a question will be invited in writing to attend the meeting at which the Chairman intends to present the question and answer.*
6. *A person asking a question must be in the public gallery for the question to be considered.*
7. *The Chairman will invite the person asking a question to read their question at the meeting or if the member of the public wishes, have the question read by an Elected Member or staff member. Questions read by the public will be presented from the lectern adjacent to the screen.*
8. *If a member of the public asking a question is not present in the gallery the question will be addressed administratively. An absent member of the public will not be permitted to repeat their question.*
9. *Multipart questions are generally not permitted but may be allowed on an administrative basis or at the discretion of the Chairman.*
10. *Repeated questions where answers have been provided within the previous 12 months will be handled administratively.*
11. *Questions should be submitted to the Chief Executive Officer in writing by 12noon on the day preceding the meeting.*
12. *If a question is presented after the close off date and time then the Chairman will make the best possible effort to provide an answer at the Council meeting.*

13. *If any question requires further researching before a response can be given the Chairman will indicate that the question will be taken on notice.*
14. *Questions taken on notice will be responded to in writing and appear in the agenda of the next available Ordinary Council meeting.*
15. *Spontaneous questions from the public gallery may be accepted at the discretion of the Chairman.*
16. *Public question time will be deemed closed at the expiry of the designated time or when there are no further questions. Any outstanding questions at the time of closure of question time will be handled administratively and included in the next available agenda as if they were questions taken on notice.*

**CARRIED 8/1618–18/08/2015**

## **11.2 Economic Development and Infrastructure**

Nil

## **11.3 Community Culture and Environment**

Moved: Deputy Mayor McKinnon  
Seconded: Alderman Shutt

THAT the minutes from the Community Culture and Environment Committee meeting held on 5 August 2015 be received and noted and that Council adopts the recommendations made by the Committee and accordingly resolves as follows:

### **11.3.1 Garage Sale Trail – Reboot Your Loot**

THAT Council approve operational expenditure of \$10,000 from the 2015/2016 approved budget to participate in the Garage Sale Trail for 2015.

### **11.3.2 Financial Support – Riding for the Disabled in the Top End Inc**

THAT Council support the funding application from Riding for the Disabled in the Top End Inc. and provide a grant of \$5,300.

### **11.3.3 Financial Support – Role Models and Leaders Australia**

THAT Council support the funding application from Role Models and Leaders Australia and provide a grant of \$10,000.

**CARRIED 8/1620–18/08/2015**

#### **11.4 CEO Performance Appraisal Committee Meeting**

Moved: Alderman Bunker  
Seconded: Alderman Carter

THAT the minutes from the CEO Performance Appraisal Committee meeting held on 6 August 2015 be received and noted.

**CARRIED 8/1621–18/08/2015**

### **12. INFORMATION AGENDA**

#### **12.1 Items for Exclusion**

Nil

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

Moved: Alderman Bunker  
Seconded: Alderman Shutt

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

**CARRIED 8/1622–18/08/2015**

### **13. DEBATE AGENDA**

#### **13.1 Officer Reports**

##### **13.1.1 'Job Active' Work Team – Working on Escarpment Variation to cover cost of materials 8/0715**

Moved: Deputy Mayor McKinnon  
Seconded: Alderman Carter

1. THAT Council receives Report Number 8/0715.
2. THAT Council endorse the engagement of the 'Job Active' Labour Team for work on The Escarpment.

##### **13.1.1 'Job Active' Work Team – Working on Escarpment Variation to cover cost of materials (continued) 8/0715**

3. THAT Council funding for the 'Job Active' labour team be identified at the first quarter budget review 2015/16.

**CARRIED 8/1623–18/08/2015**

**13.1.2 Road Naming at The Views, Gunn**

**8/0716**

Moved: Alderman Carter  
Seconded: Deputy Mayor McKinnon

1. THAT Council receives Report Number 8/0716.
2. THAT Council supports the name "East Street" for Road D (as marked up on the plan in Attachment A in Report Number 8/0716) in The Views, Gunn subdivision.

**CARRIED 8/1624–18/08/2015**

**13.1.3 Concurrent Application – PA2015/0370 – Section 4231 (213) Taylor Road, Holtze - Rezone part FROM Zone RR (Rural Residential) and Zone PM (Proposed Main Road) TO Zone CP (Community Purpose) and Zone FD (Future Development) AND subdivision into three lots**

**8/0717**

Moved: Deputy Mayor McKinnon  
Seconded: Alderman Shutt

1. THAT Council receives Report Number 8/0717.
2. THAT the attachment to Report Number 8/0717 be endorsed.

**CARRIED 8/1625–18/08/2015**

Moved: Alderman Carter  
Seconded: Deputy Mayor McKinnon

3. THAT the Development Consent Authority be made aware that the Concurrent Application PA2015/0370 applies to land located outside the Palmerston Municipality.

**CARRIED 8/1626–18/08/2015**

**13.1.4 Development Application – PA2015/0520 – Sec 4231 (213) Taylor Road, Holtze - Hospital in accordance with proposed Zone CP (Community Purposes) 8/0718**

Moved: Deputy Mayor McKinnon  
Seconded: Alderman Shutt

1. THAT Council receives Report Number 8/0718.

**CARRIED 8/1627–18/08/2015**

Moved: Deputy Mayor McKinnon  
Seconded: Alderman Carter

2. THAT the attachment to Report Number 8/0718 be endorsed.

**CARRIED 8/1628–18/08/2015**

Moved: Alderman Carter  
Seconded: Deputy Mayor McKinnon

3. THAT the Development Consent Authority be made aware that the Development Application PA2015/0520 applies to land located outside the Palmerston Municipality.

**CARRIED 8/1629–18/08/2015**

**14. CORRESPONDENCE**

Nil

**15. PUBLIC QUESTION TIME**

*At the invitation of the Chair*

Members of the public asked questions regarding disability legislation and compliance, public engagement and public debate sessions. The Chair took two questions on notice in regards to the expected usage of Goyder Square, and future consultation with the community, which will be responded to in writing.

**16. OTHER BUSINESS - ALDERMAN REPORTS**

**16.1 Open Debate Session**

Moved: Alderman Byrne  
Seconded: Alderman Carter

THAT a report be provided to Governance and Organisation Committee regarding an open debate session.

**UNANIMOUSLY CARRIED 8/1630–18/08/2015**

## **16.2 Location for Bi-annual Council Meeting**

Moved: Deputy Mayor McKinnon  
Seconded: Alderman Shutt

THAT a report be provided to Governance and Organisation Committee regarding a bi-annual Council meeting being held in a community venue.

**CARRIED 8/1631–18/08/2015**

## **17. CONFIDENTIAL REPORTS**

Moved: Deputy Mayor McKinnon  
Seconded: Alderman Carter

### **17.1 The Heights Durack – Neighbourhood Centre**

**8/0721**

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 Corporate Services, Acting Director of Community Services, Director of Technical Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report and associated documents in relation to confidential agenda item 17.1 The Heights Durack – Neighbourhood Centre 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 18 August 2015, in relation to confidential item number 17.1 The Heights Durack – Neighbourhood Centre remain confidential for 5 years.

### **17.2 Investigation into Facebook Conduct of a Community Representative**

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 Acting Director of Corporate Services, Acting Director Community Services, Director of Technical Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to discuss and consider the Committee Recommendations in relation to confidential agenda item 17.2 Investigation into Facebook Conduct of a Community Representative 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 Committee Recommendation documentation involves:

(a) information about the employment of a particular individual as a member of the staff or possible member of the staff of the Council that could, if publicly disclosed, cause prejudice to the individual;



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

2. THAT Council orders that the minutes from the Confidential Council meeting held on 18 August 2015, in relation to confidential item number 17.2 Investigation into Facebook Conduct of a Community Representative and associated documentation remain confidential and not available for public inspection.

**CARRIED 8/1632–18/08/2015**

The meeting moved into confidential session at 8:21pm.

## **18. CLOSURE**

Meeting closed at 8:34pm

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(Chair)