

1st ORDINARY COUNCIL MEETING

NOTICE OF MEETING

TUESDAY, 3 SEPTEMBER 2019

The Ordinary Meeting of the City of Palmerston will be held in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston commencing at 5.30pm.

A handwritten signature in black ink, appearing to read 'Luccio Cercarelli'.

LUCCIO CERCARELLI
CHIEF EXECUTIVE OFFICER

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1st Ordinary Council Meeting

1 ACKNOWLEDGEMENT OF COUNTRY

2 OPENING OF MEETING

3 APOLOGIES AND LEAVE OF ABSENCE

- 3.1 Apologies
- 3.2 Leave of Absence Previously Granted
- 3.3 Leave of Absence Request

4 REQUEST FOR TELECONFERENCE

5 DECLARATION OF INTEREST

- 5.1 Elected Members
- 5.2 Staff

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

THAT the Minutes of its Council Meeting held on 20 August 2019 pages 9860 to 9869 be confirmed.

6.2 Business Arising from Previous Meeting

7 MAYORAL REPORT

7.1 Mayoral Update Report – August 2019

M9/014

AGENDA ITEM: 7.1

REPORT TITLE: Mayoral Update Report – August 2019

REPORT NUMBER: M9/014

MEETING DATE: 3/09/2019

AUTHOR: Mayor, Athina Pascoe-Bell

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

This report provides a highlight summary of some recent activities.

KEY MESSAGES

- General collaboration with Australian and Northern Territory Governments.
- Exploring opportunities for funding.
- Strengthening collaborations with Australian Local Governments.
- Attendance at various activities and services in Palmerston.

RECOMMENDATION

THAT Report Number M9/014 entitled Mayoral Update Report – August 2019 be received and noted.

DISCUSSION

Seniors Forum

This year's Seniors Forum saw a change of venue to the Recreation Centre, which I attend and provided a presentation on Council's behalf in relation to the Community Plan, Long Term-Financial Plan, Municipal Plan, Projects, Gray Community Hall Expansion and the Recreation Lake concept.

The forum is the main event held in Palmerston for seniors to convene and discuss issues of concern, plus share experiences, thoughts and knowledge.

It also provides an opportunity for the Palmerston Seniors Advisory Committee and the City of Palmerston to hear directly from our seniors. Council welcomes these forums, as they allow us greater understanding of what issues are most pressing and ideas you may have to strengthen the community and maintain Palmerston as a great place to live.

TOPROC Meeting

The CEO and I attended the Top End Regional Organisation of Council's meeting this month, where relevant issues relating to Local Government were discussed. These included items such as Thorak Regional Cemetery, Animal Management, an emergency waste management facility and advocacy with the Federal Government.

Probus Club

I regularly attend the monthly Probus meetings, at this month's meeting I provided a presentation on Council's behalf in relation to the Community Plan, Long Term-Financial Plan, Municipal Plan, *Prójects* and the Recreation Lake concept.

Northern Territory PGA Championship

The 2019 Tailor-Made Building Services NT PGA Championship was played at Palmerston Golf Course from 22 August to 25 August. Council is proud to be involved in bringing the tournament back to Palmerston for the fourth time. Territorians have a passion for outdoor sports so it's a valuable opportunity to showcase our city, provide economic benefits for local businesses and a unique experience for locals and visitors. Congratulations to this year's winner, Brett Rankin.

New Palmerston Police Station

I attended the official opening of the Palmerston Police Station. The new station will provide Palmerston and rural residents with a modern policing facility that will accommodate the region's needs for effective contemporary policing for at least the next 30 years.

The new facility includes -

- a new Police Station and Watch House which will provide 24-hour police services for the Palmerston and Litchfield area.
- a secure front counter, multiple meeting/interview rooms and a waiting area with toilets and shower.
- a new Emergency Response Operations Centre, providing Emergency Services a dedicated location to service the Palmerston region.
- the ability for future growth of the area, as the facility can accommodate up to 200 police.

POLICY IMPLICATIONS

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this report.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

There are no risk, legal and legislative implications relating to this report.

ATTACHMENTS

There are no attachments for this report.

8 DEPUTATIONS AND PRESENTATIONS

- 8.1 Creative Industries Strategy for the NT
Presentation by Creative Industries Steering Committee Chamber of Commerce NT

9 PUBLIC QUESTION TIME (WRITTEN SUBMISSIONS)

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

10.2 Moving Open Items into Confidential

10.3 Confidential Items

THAT pursuant to *Section 65(2) of the Local Government Act* and *Regulation 8 of the Local Government (Administration) Regulations* the meeting be closed to the public to consider the following confidential items.

ITEM	REGULATION	REASON
25.2.1	8(c)(iv)	This item is considered 'Confidential' pursuant to <i>Section 65(2) of the Local Government Act</i> and <i>8(c)(iv) of the Local Government (Administration) Regulations</i> , which states municipal council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person is discussed.

11 PETITIONS

12 NOTICES OF MOTION

12.1 Mitigation of Inappropriate Disposal of Waste

THAT a report be prepared for the first ordinary meeting in December, outlining strategies for the City of Palmerston to mitigate the inappropriate disposal of waste within the municipality.

COUNCIL MEETING DATE: 3 September 2019

TOPIC: Mitigation of Inappropriate Disposal of Waste

BACKGROUND:

At a meeting with a concerned constituent on the 31 July 2019, I was taken for a walk along Maluka Drive in Gunn. I was shown how much rubbish and waste had accumulated between Sunday morning and Wednesday afternoon. The amount was considerable, filling an entire garage bag and a reusable shopping bag we collected on the walk. The Sunday morning prior I was informed that a group of proactive members of the local Gunn community had pulled 43kg of waste from the drainage that ran parallel to Maluka Drive. Their request was to have rubbish catching mechanisms in place which prevented the travel of waste into the drain so they could collect the rubbish to prevent it ending in waterways.

OBJECTIVE:


The notice of motion is a for a report to be returned to Council no later than the first ordinary meeting in December 2019. The content of this report is to outline strategies for the City of Palmerston to best engage with organisations for the mitigation of waste transferring into creeks and waterways.

Considerations for the report include potential strategies City of Palmerston can implement to support organisations including but not limited to community groups, schools, local businesses and charities to help mitigate improper waste disposal throughout the municipality. Such strategies could include educational programs, supporting infrastructure and policy implementation.

City of Palmerston has an opportunity to work with civil minded community groups to improve the liveability within the municipality. As a Council we should move to encourage such actions and behaviours that mutually benefit the entire community.

NOTICE OF MOTION:

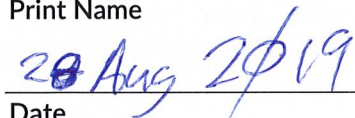
THAT a report be prepared for the first ordinary meeting in December, outlining strategies for the City of Palmerston to mitigate the inappropriate disposal of waste within the municipality.



Signature

Alderman Mick Spick

Print Name



Date

13 OFFICER REPORTS

13.1 Receive and Note Reports

13.1.1	<i>Prójects</i> - Smart Cities Update Report September 2019	9/0281
13.1.2	Palmerston Safe Communities Committee August 2019 Minutes	9/0296

AGENDA ITEM:	13.1.1
REPORT TITLE:	<i>Prójects</i> - Smart Cities Update Report September 2019
REPORT NUMBER:	9/0281
MEETING DATE:	3/09/2019
AUTHOR:	Acting Executive Manager Organisational Services, Richard Iap
APPROVER:	Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

Future Focused: Palmerston is an innovative city that sustains itself through the challenges of the future.

PURPOSE

This report summarises the key activities undertaken by Organisational Services from April to August 2019.

KEY MESSAGES

- Council have finalised its Federal Government agreement for the Round Two of the Smart Cities and Suburbs Program, securing a \$2 million project being funded by the Australian and Territory Governments, and Council.
- The project will focus on using smart technology to make our community safer and more liveable.
- Council staff finalised the Australian Government grant agreement in February 2019 which was signed by the Chief Executive Officer under delegation.
- Governance frameworks for the program have been established and a probity plan is in place.
- The initial three sessions have been conducted for the Advisory Group under the project's governance framework.
- Phase One Request for Quotations (RFQs) have been completed and the market responses have been received. The procurement evaluation and award process are under way for the remaining three RFQ items.
- Physical installations for seven Smart Compacting Bins was completed in July 2019.
- Engagement with NT Police Fire and Emergency Services (NTPFS) has commenced in relation to public safety and CCTV initiatives including additions and upgrades.
- Engagement with Charles Darwin University (CDU) has commenced with regards to public lakes and weed management studies (water quality analysis planning).

RECOMMENDATION

THAT Report Number 9/0281 entitled *Prójects* – Smart Cities Update Report September 2019 be received and noted.

BACKGROUND

The Australian Governments Smart Cities and Suburbs Program is supporting the delivery of innovative smart city projects that improve the liveability, productivity and sustainability of cities and towns across Australia.

In May 2018, the Minister for Urban Infrastructure and Cities, The Hon Paul Fletcher MP, announced the opening of a second round of the Program, with around \$22 million of funding available through a competitive grant process. Round Two encouraged applications for collaborative projects, led by local

government, which apply innovative technology solutions to urban challenges, delivering economic, social and environmental benefits.

At its Meeting held on 19 June 2018, Council resolved the following:

City of Palmerston Smart Cities and Suburbs Program Application C9/0033

1. *THAT Report Number C9/0033 entitled City of Palmerston Smart Cities and Suburbs Program Application be received and noted.*
2. *THAT Council approve an application to the second round of the Smart Cities and Suburbs Program up to \$2 million, consisting of financial contributions as follows:*
 - \$1 million from the Australian Government
 - \$500,000 from the Northern Territory Government
 - \$500,000 from the City of Palmerston

As outlined in Report Number C9/0033 entitled City of Palmerston Smart Cities and Suburbs Program Application.

3. *THAT Council, pursuant to Section 32 (2) of the Local Government Act (as amended), hereby delegates to the Chief Executive Officer, the power to finalise and make an application to the second round of the Australian Government's Smart Cities and Suburbs Program as outlined in Report Number C9/0033 entitled City of Palmerston Smart Cities and Suburbs Program Application.*
4. *THAT a further report be prepared on the final funding model and formal agreement should the City of Palmerston Smart Cities and Suburbs Program application be successful.*
5. *THAT this decision and report be moved into open on 3 July 2018.*

CARRIED 9/0125 – 19/06/2018

In November 2018, the Australian Government announced Council was successful in its Smart Cities and Suburbs Program – Round 2, receiving \$1 million towards the \$2 million project.

At its Meeting held on 2 February 2019, Council resolved the following:

Pr6ject-Smart Cities Update 9/0152

1. *THAT Report Number 9/0152 entitled Pr6ject-Smart Cities Update be received and noted.*
2. *THAT Council confirms acceptance of the Australian and Northern Territory Governments grant funding for the delivery of the City of Palmerston Smart Cities and Suburbs Program.*

CARRIED 9/0459-05/02/2019

Council's submission to the Australian Government demonstrated an understanding for the smart city solutions that could be incorporated into a trial program to address our urban challenges and improve the community's liveability.

The target outcomes of this project are in line with Council's Digital Strategy:

- Safe and Sound – “Deliver A Safer Community” (Public safety and crime reduction, through CCTV, sensors and smart lighting)
- Connect and Enable – “Not Connected Is Not an Option” (minimising resource consumption, improving public services and green spaces); and
- Interact and Engage – “Facilitate Better Outcomes for The Community” (Open Data: accountability, transparency and innovation enablement).

The identified outcomes of the project are to:

- Reduce crime and antisocial behaviour, through smart technology (such as CCTV and smart LED technologies) to deter and provide support to policing entities.
- To continue to build on our existing CPTED (Crime Prevention Through Environmental Design) principles to address better lighting in crime hotspots, to provide a deterrent for criminal behaviour and to provide better visibility to police.
- Contribute to sustainability and environmental resources by monitoring, optimising and enhancing service delivery for water resources.
- Enhance community services through the delivery of more effective and efficient services.
- Enhance engagement with the community through online services, electronic forms, apps and data availability.
- Improve waste management service delivery through effective and efficient monitoring and collection.
- Establish an open data portal publication catalogue and enable regional innovation opportunities.
- Extend transparency and accountability of Council business to the community through open data.
- Enhance community engagement through a smart city platform, open data portal and engagement opportunities throughout the program.

This project will also be an enabler for future smart city initiatives.

Council staff have finalised the grant agreement with both the Australian and Territory Governments.

The agreements are standard agreements for government funding and include items such as media management, project milestones, audit requirements, funding schedule and project period.

The Australian Government requires that this program be completed by May 2020.

This report provides Council with an update on *Prójects* – Smart Cities.

DISCUSSION

Smart Cities Project delivery timeframes are provided at **Attachment A**.

A considerable amount of work has taken place in recent months on the Smart Cities project. Progress made includes, but is not limited to:

- The Smart Compacting Bins have been installed.

Smart Bins in Marlow Lagoon and Goyder Square



- The smart bins hold up to eight times more rubbish than a normal bin, are solar powered and will boost efficiency in rubbish pickup around the city. They are fire resistant and order resistant and can have public Wi-Fi installed to them.
- Council staff have developed a process to clean and empty the smart bins within our waste collection process.
- Council staff have also put in place an evaluation study on the management of the waste collected in the bins to ensure insect and odour effects are minimised. These have included the installation of odour pads and the changing collections of bins to a more regular collection period.
- RFQs have closed and are currently under evaluation for the environmental monitoring sensors, smart waste sensors and public Wi-Fi first stage extensions for targeted public space areas.
 - Upgrades to Frances Drive Wi-Fi were completed in June 2019.
 - Wi-Fi upgrades have commenced within areas of the city centre these will include improvements for the Library and the Recreation Centre.
 - Public Wi-Fi installations are taking place in Marlow Lagoon Recreation Area in the first week of September 2019.
 - Sanctuary Lakes Park Public Wi-Fi installation is planned for October 2019 as consultation is occurring with NTPFS on CCTV requirement of the area.
 - Second stage areas identified for Wi-Fi upgrades to be completed by December 2019 are:
 - Phyllis Uren Park, FARRAR
 - Marlow Lagoon Dog Park Area, MARLOW LAGOON
 - Joan Fejo Park, ROSEBERY
 - Phoenix Park, DURACK

- Deleny GWA Park, Zuccoli
- Engagement with the NTPFS has commenced regarding CCTV and public safety initiatives under the Smart Cities project. This has included working with the CCTV System Administrator and the Superintendent Palmerston Division police officers to identify Council own buildings and assets which are suitable for CCTV installation to improve coverage. Multiple locations in the Palmerston municipality have been identified as target areas for CCTV upgrades.
- Police have also been engaged to assist on improvements to current processes on CCTV approvals to ensure efficient and timely installations can occur on Council owned assets.
- Engagement with CDU has commenced with regards to public lakes and weed management studies (water quality analysis planning).
- Phase two of procurement activities has commenced, with a draft tender being prepared to procure the Smart City Platform to aggregate and visualise data from the sensors and smart city elements.
- Work on the Council's open data platform has also commenced, with reviews of technical requirements underway. Council will also review policies and procedures with open data inline with the project's outcomes including privacy compliance.
- Adoption of the probity framework and procurement plan.
- Defining the program success criteria
- Alignment of the Smart City Program with the Community Plan in terms of success criteria and outcomes.
- Work is being undertaken to align initiatives with other Council projects and activities to improve efficiency and reduce double handling.

Attachment A: Smart Cities Project Timetable, provides a overview of project items and expected completion dates.

Further project updates will be presented as required, with a Smart Cities update report to be presented to Council by the end of November 2019.

CONSULTATION PROCESS

Council has released media and social media, advising of this project and its commitment.

As the project progresses, Council will need to engage with and inform the community and other stakeholders. A communications and engagement guidelines are being finalised with input from the Department of Industry, innovation and Science. This has meant that all future social media will be preapproved based on a set wording templated that has been developed by Council's Communication and Media team.

During the Royal Darwin Show in July 2019 a Council smart bin was placed in the front of the Council stand. There were numerous questions on the bins and the smart cities project and with positive comments on the project and Council's work in this area.

Consultation will occur as and when required.

In preparing this report the following external parties were contacted:

- Smarter Technology Solutions (STS)
- Department of Industry, Innovation and Science

POLICY IMPLICATIONS

There are no budget or resource implications relating to this report.

BUDGET AND RESOURCE IMPLICATIONS

The total cost of this program is \$2 million (GST exclusive).

Funding from the Australian and Territory Governments has been secured.

Council has previously approved to seek grant funding from the Australian and Territory Governments.

The funding partnership comprises:

- Australian Government \$1 million
- Northern Territory Government \$500,000
- City of Palmerston \$500,000

Council has placed \$500,000 into its reserves to fund its contribution to this project. No loan funding is required. The program is fully funded and able to proceed.

To date Council has expended \$132,000 on the project.

The provision of smart technologies should result in operational efficiencies and improved services to the community.

Council has engaged the services of a specialist consultant Smarter Technology Solutions to assist with the grant application and delivery of this significant and complex program.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

With all large projects there are project management risks as part of delivery, these will be identified, and mitigation measures put in place as the project progresses. The use of probity and specialist consultants will also assist to mitigate risks.

Council staff have engaged a probity auditor and a specialist consultant to advise and assist with delivery.

Funding agreements with the Australian and Northern Territory Governments have been entered into. Council staff are responsible for ensuring that all grant agreement conditions are conformed with, including milestones and budget alignment.

Council will need to consider privacy matters to ensure they are adequately addressed prior to releasing any open data.

Parties may seek to converse with Elected Members or staff in relation to procurement of related products and services. To ensure good governance and compliance, Elected Members and staff must be aware of probity obligations. Any such approaches should be directed and reported to the Chief Executive Officer, including details of what occurred and the party involved.

Merit Partners have been engaged by Council as the probity auditors for this project, to ensure compliance of any procurement processes undertaken. A probity plan has been developed and adopted. All procurement will align with the probity plan and governance framework.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

As part of delivering *Próject* – Smart Cities, the project will include environmental monitors and waste compacting bins across the municipality.

The scope of these will contribute to improved environmental outcomes and monitoring for Council by providing environmental monitoring data and find efficiencies in waste collection services.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

Attachment A: City of Palmerston Smart Cities Project Timetable

Smart Cities Project Timetable

Project Item	Expected Completion Date
Establishment of management and probity framework plans.	Completed April 2019
Establishment of the Smart Cities Advisory Committee	Completed May 2019
Installation of Smart Waste Bins <ul style="list-style-type: none"> • Marlow Lagoon Recreation Park • Sanctuary Lakes • Goyder Square • Civic Plaza 	Completed July 2019
Submission of the first Smart Cities Milestone Report	Completed July 2019
Installation of Public Wi-Fi <ul style="list-style-type: none"> • Frances Drive • Marlow Lagoon Recreation Park/BBQ Area • Further upgrades to CBD • Phyllis Uren Park • Marlow Lagoon Dog Park Area • Joan Fejo Park • Phoenix Park • Deleny GWA Park 	Completed June 2019 September 2019 October 2019 December 2019 December 2019 December 2019 December 2019 December 2019
Installation of Smart Waste Sensors	October 2019
Carparking payment app PayStay	October 2019
Installation of Environmental Sensors	October 2019
Procurement of Smart Data Platform	November 2019
Smart precinct upgrade of Sanctuary Lakes <ul style="list-style-type: none"> • CCTV • Smart lighting poles • Smart lighting luminaries • Playground area lighting • Public Wi-Fi • Carparking monitoring devices 	January 2020
Design and installation of additional and upgrades of CCTV Cameras.	February 2020
Open data platform and central data hub	February 2020
School Hackathon	March 2020
Installation and API data customisation of Smart Cities Platform	April 2020
Finalisation of funding agreement requirements	May 2020

AGENDA ITEM:	13.1.2
REPORT TITLE:	Palmerston Safe Communities Committee August 2019 Minutes
REPORT NUMBER:	9/0296
MEETING DATE:	3/09/2019
AUTHOR:	Community Development Officer, Rosalind Clarke
APPROVER:	Acting Director Lifestyle and Community, Amelia Vellar

COMMUNITY PLAN

Family and Community: Palmerston is a safe and family friendly community where everyone belongs.

PURPOSE

This report presents the unconfirmed minutes from the Palmerston Safe Communities Committee (PSCC) meeting held on 1 August 2019.

KEY MESSAGES

- Palmerston Safe Communities Committee (PSCC) members provide program updates, advice and feedback in relation to safety issues that affect Palmerston residents and businesses.
- A PSCC meeting was held 1 August 2019 and unconfirmed minutes are presented at **Attachment A**.
- A representative from the Department of the Chief Minister briefed the committee on the new Anti-Social Behaviour App that is being trialled in Darwin and Palmerston.

RECOMMENDATION

THAT Report Number 9/0296 entitled Palmerston Safe Communities Committee August 2019 Minutes be received and noted.

BACKGROUND

PSCC works in partnership with Council, the Northern Territory Government, businesses and the community. The core committee objectives are to reduce and prevent injuries, accidents and crime.

The Committee meets bi-monthly and comprises of representatives from over 30 organisations.

DISCUSSION

A PSCC meeting occurred on the 1 August 2019 at the Palmerston Recreation Centre.

The unconfirmed minutes of the 1 August 2019 PSCC meeting are provided as **Attachment A**.

The following points of interest were discussed during the meeting by committee members and guests:

- Russel Wills (Project Manager) from the Department of the Chief Minister was a guest speaker who briefed the committee on the new Anti-Social Behaviour App that is being trialled in Darwin and Palmerston.
- There was a Youth Crime Crisis rally held in Palmerston on 31 July 2019. Alderman Hale will invite the key organiser of the rally to attend the next PSCC meeting to share concerns and ideas.

- Mayor Athina Pascoe-Bell updated the group about the City's current street lighting project which is under way and on schedule.

CONSULTATION PROCESS

There was no consultation required during the preparation of this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this report.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

There is no risk, legal and legislative implications relating to this report.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

Attachment A: Palmerston Safe Communities Committee Meeting Minutes 1 August 2019

CITY OF PALMERSTON

Minutes of Palmerston Safe Communities Committee Meeting
held in Community Room 1, Palmerston Recreation Centre, 11 The Boulevard,
Thursday 1 August 2019 at 1:30 pm

COMMITTEE MEMBERS

Alderman Damian Hale, City of Palmerston (Chair)
Mayor Athina Pascoe-Bell, City of Palmerston
Alderman Lucy Buhr, City of Palmerston
Antony Deutrom, NT Police
Rob Overall, NT Police
Alex Hawthorne Jesuit Social Services
Angie Walker, Lia Finocchiaro MLA (representative)
Joseph Petterson, Larrakia Nation
Aaron Mummery, Larrakia Nation
Jodie Barlow, Mission Australia
Kirby Bolton, Member for Drysdale (Representative)
Olga Dalrymple, Brennan Electorate
Natasha Worthington, Mission Australia
Mel Roomes, Road Safety
Serena Dalton, Grassroots Action Palmerston
Michael McLean, NT Police
Melinda Schroeder, NT Legal Aid
David Boustead, Department of the Chief Minister
Shlok Sharma, Luke Goslings Office
Melinda Schroeder, NT Legal Aid
Jane Alley, Minister Wakefield's Office

GUESTS

Russel Wills, Department of the Chief Minister

STAFF

Amelia Vellar, Acting Director - Lifestyle & Community
Amanda Stevenson, CDO, Lifestyle & Community
Rosalind Clarke, CDO, Lifestyle & Community (Minutes)

1 OPENING OF MEETING

The Chair declared the meeting open at 1:32 pm.

Initials: _____

2 APOLOGIES AND LEAVE OF ABSENCE

Alana Chapman
Gemma Bellenger
Andrew Pike
Megan Fernando
Jane McMurtrie
Alison Warwick
Kathy Bannister
Marcelo Alvare
John Rawnsley
Sally Weir
Amanda Foord
Alana Chapman
Tracy-Dale Middleton
Kay Villaflor
Shalom Kaa

Territory Families
NT Police, Fire & Emergency Services
Territory Families
Kidsafe NT
Palmerston Community Care Centre
NTG
Red Cross
Mission Australia
North Australian Aboriginal Justice Agency
Department of the Chief Minister
Police, Fire & Emergency Services
Territory Families
NT Police
Larrakia Nation
Public Transport

3 CONFIRMATION OF MINUTES

3.1 Confirmation of Minutes

Moved: Lucy Morrison
Seconded: Angela Walker

THAT the minutes of the Palmerston Safe Communities Committee meeting held on Thursday 30 May 2019, be confirmed.

Carried

4 ACTIONS ARISING FROM PREVIOUS MINUTES

- 4.1 **Action:** Ben Williams to investigate if Council's Elected members and the PSCC members could be provided a tour of the new Palmerston Police Station prior to opening.
Update: The station is complete, and keys are being handed over 1 August.
New Action: NT Police (Antony Deutrom) will organise a tour for PSCC members and contact Director Lifestyle Community to organise a tour for the Elected Members.
- 4.2 **Action:** Department of Planning and Infrastructure to arrange meeting with Mayor to discuss collected network data and improvements to bus network connectivity in Palmerston.
Update: In progress. Department of Planning and Infrastructure representative Shalom Kaa has put in his apologies for the meeting today but advised by email that he will contact the Mayor to arrange.

Initials: _____

- 4.3 Action: Acting Director Lifestyle & Community to invite representative from the Department of Chief Minister to provide an update about the development of the Anti-Social Behaviour reporting app.

Update: Dave Boustead invited Russell Wills (project manager) to provide information on the Anti-Social Behaviour App. See Guest Speaker.

5 PALMERSTON NETWORKS UPDATE

5.1 Palmerston Kids Network (PKN) – Rosalind Clarke:

The next Palmerston Kids Network meeting will be held on Friday 27 September 2019 from 9.30am to 11.00am and will be held at the Driver Resource Centre. The network is open to representatives from organisations working with or for children in Palmerston aged 0 – 12 years.

5.2 Palmerston and Rural Youth Services (PARYS) – Amanda Stevenson:

The next PARYS meeting will be held on Tuesday 3 September at 9am. The last meeting held in July reviewed the events and competitions held during the inaugural Palmerston Youth Festival.

5.3 Palmerston Seniors Advisory Committee (PSAC) – Rosalind Clarke:

The next PSAC meeting will be held on Monday 16 September 2019. The last PSAC Meeting was held in July and the group discussed the new parking strategy, LED streetlight roll out and the expansion of Gray Community Hall.

6 GUEST SPEAKER

Anti- Social Behaviour App: Project Manager, Russel Wills Department of Chief Minister, provided information to the committee on the app developed by the NT Government with Larrakia Nation to address anti-social behaviour. The app is being trialled in Darwin and Palmerston for six weeks. Assistance for reported behaviour that is not a crime is attended to by Larrakia Nation. Police referred 300 reports to Larrakia last month. Violence and other criminal activity not recorded by the app instead alerts users to report it to the police. App Statistics are collected, and Russell will bring these back to PSCC through David Boustead representing the Department of the Chief Minister.

7 NEW BUSINESS

NIL.

Initials: _____

8 STAKHOLDER UPDATES

8.1 City of Palmerston, Alderman Damien Hale - Chair

There was a Youth Crime Crisis rally held in Palmerston on 31 July 2019. Kevin Thomas, a key organiser, is a local business owner. The committee approved for Alderman Hale to organise for Kevin to come and speak to PSCC about concerns, proposed actions, and to share information about what is being done about crimes against businesses in the area.

Action: Alderman Hale to contact Kevin and invite him to the next PSCC meeting.

8.2 NT Police, Antony Deutrom

There has been a decrease in crimes against people by 17% and a decrease in crimes against property by 16% since last year although people are still impacted by crime. Many of the offences against property are on properties that are not secured. More education is needed in the area of improving security.

New Palmerston Police Station will be open on 2 September.

8.3 NT Police, Michael McLean

More CCTV is planned for Palmerston. Suggestions can be made on locations of these.

8.4 Grassroots Action Palmerston, Serena Dalton

There was some conflict amongst young people throughout the holidays which could be mitigated by more youth activities offered in the Darwin area.

Police presence during the Street Party was excellent and actions of police stopped potential incidents from escalating.

8.5 Luke Goslings Office, Shlok Sharma

Please see open grants for Strong Communities Programme. You can find more information on the website: <https://www.business.gov.au/assistance/stronger-communities-programme>

8.6 Road Safety, Mel Roomes

New road rules begin today, 1 August.

Reflective Clothing Program: if anyone has at-risk clients you can get t-shirts and beanies for them – please contact Mel Roomes.

See <https://roadsafety.nt.gov.au/safety-topics> for up to date information on current campaigns and quick-grants.

8.7 Larrakia Nation, Joseph Petterson

The new trial of the app is underway and Larrakia Nation working closely with police.

8.8 Mission Australia – Sobering up Shelter, Natasha Worthington

Mission have a 40 bed facility, 24 hours, 7 days a week.

‘Mission Beat’ is a patrol with a youth focus that runs on Friday and Saturday nights and engages and refers young people to other support services.

Initials: _____

- 8.9 **Minister Wakefield's Office, Jane Alley**
The Back on Track program is aimed at young people in the youth justice system and focuses on giving back to the community. Further information can be found at <https://territoryfamilies.nt.gov.au/news/back-on-track>
- 8.10 **Mayor of Palmerston**
Thanks to NT Police for their excellent work during the Palmerston Street Party. City of Palmerston's Public Street Lighting program is under way and on schedule.
- 8.11 **Representative for Member for Drysdale, Kirby Bolton**
The office has received fewer complaints about crime and antisocial behaviour recently.
- 8.12 **City of Palmerston, Acting Director – Lifestyle and Community, Amelia Vellar**
Car vandalism has occurred at Grey Community Hall. Please encourage reporting via proper channels, i.e. police, rather than to Council after the event.
- 8.13 **NT Legal Aid, Melinda Schroeder**
Free legal advice number was shared with the group which is 1800 019 343.
- 8.14 **Jesuit Social Services, Alex Hawthorne**
Providing support to victims and offenders. More information can be found at <https://jss.org.au/>

9 NEXT MEETING

Thursday 12 September 2019, 1:30pm – 3:00pm, Palmerston Recreation Centre, 11 The Boulevard.

10 CLOSURE

The Palmerston Safe Communities Committee meeting, held in Palmerston Recreation Centre, 11 The Boulevard, Palmerston on Thursday 1 August 2019 closed at 2:50 pm

ATTACHMENTS:

NIL.



Alderman, Damian Hale
Chair

Initials: _____

13 OFFICER REPORTS

13.2 Action Reports

- | | | |
|--------|---|--------|
| 13.2.1 | Liquor Licence Application – Gateway Select Wine, Beer and Spirits – Substitution and Relocation to Liquor Licence Number FLL1019 | 9/0295 |
| 13.2.2 | Local Government Association of the Northern Territory General Meeting Motions and Representation | 9/0299 |
| 13.2.3 | Council's Submission to the Social Policy Scrutiny Committee on the Draft <i>Burial and Cremation Bill</i> | 9/0300 |
| 13.2.4 | Elected Member Insurance Coverage | 9/0301 |
| 13.2.5 | Palmerston Division of the Development Consent Authority (DCA) – Representation | 9/0303 |

AGENDA ITEM: 13.2.1

REPORT TITLE: Liquor Licence Application – Gateway Select Wine, Beer and Spirits – Substitution and Relocation to Liquor Licence Number FLL1019

REPORT NUMBER: 9/0295

MEETING DATE: 3/09/2019

AUTHOR: Acting Director Lifestyle and Community, Amelia Vellar

APPROVER: Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

1. Family and Community: Palmerston is a safe and family friendly community where everyone belongs.

PURPOSE

This report outlines issues to be considered by Council, regarding the liquor licence substitution and relocation application lodged by Little Cashy Pty Ltd & Dunstall Pty Ltd, currently known as Gateway Select Wine, Beer & Spirits to move their Store Liquor Licence number FLL1019, previously located at The Gateway Shopping Centre, 1 Roystonea Avenue, Yarrowonga, NT 0830 to The Fairway Waters Shopping Centre, Unit 3, 130 University Avenue, Durack.

KEY MESSAGES

- Council is committed to providing a healthy and safe place for residents and visitors and a key aspect of this is via input Council provides on Liquor licence applications within the Palmerston municipality.
- Council has been advised of a liquor licence substitution application lodged by Little Cashy Pty Ltd & Dunstall Pty Ltd, currently known as Gateway Select Wine, Beer & Spirits and have been invited to comment.
- Council can lodge an objection under s47F (2)(a) and (2)(b) of the *Liquor Act* (NT).
- Council staff recommend objecting to this application under s47F (2)(a) and (2)(b) of the *Liquor Act* (NT).

RECOMMENDATION

1. THAT Report Number 9/0295 entitled Liquor Licence Application – Gateway Select Wine, Beer and Spirits – Substitution and Relocation to Liquor Licence Number FLL1019, be received and noted.
2. THAT Council endorse the letter to the Director-General of Licensing objecting under s47F (2)(a) and (2)(b) of the *Liquor Act* (NT), **Attachment C** to Report Number 9/0295 entitled Liquor Licence Application – Gateway Select Wine, Beer and Spirits – Substitution and Relocation to Liquor Licence Number FLL1019.

BACKGROUND

The Northern Territory Government (Licensing NT) is responsible for (amongst other regulatory roles) the regulation of liquor licences for venues wishing to sell alcohol. While Local Government does not have any decision-making power in the liquor licensing process it does have the opportunity under the *Liquor Act* to provide comment to the NTG about the possible impact of licensed venues, or changes to venue operation on the local community.

Council has been notified of a liquor licence substitution and relocation application lodged by Little Cashy Pty Ltd & Dunstall Pty Ltd currently known as Gateway Select Wine, Beer & Spirits, to move their Store Liquor Licence number FLL1019 (**Attachment B**), previously located at The Gateway Shopping Centre, 1 Roystonea Avenue, Yarrowonga, NT 0830 to The Fairway Waters Shopping Centre, Unit 3, 130 University Avenue, Durack, with no changes to their current liquor licence which allows for the sale of takeaway liquor only. (**Attachment A**).

Licensing NT has advised Council that the following sections of the *Liquor Act* are relevant to these applications:

Under section 32A (5) of the *Liquor Act*, "If the application relates to premises within the area of a shire, council or a regional council, the Director-General must, as soon as reasonably practicable, inform the CEO of the council that the application has been made."

Grounds for Objection Under Section 47F (2) Of the Liquor Act

Pursuant to Section 47F (2) of the *Liquor Act*, an objection may only be made on the grounds that the grant of the licence may or will adversely affect:

1. (a) The amenity of the neighbourhood where the premises the subject of the application are or will be located; or
2. (b) Health, education, public safety or social conditions in the community.

Council is committed to providing a healthy and safe place for residents and visitors and a key aspect of this is via input Council provides on liquor licence applications within the Palmerston municipality.

When considering Council's response to licensing requests by staff Council Policy AD03 *Alcohol Management* (the Council Policy) is used as the principal guide.

No Council owned or controlled land is directly affected by the proposal.

DISCUSSION

Council has assessment criteria outlined in the Council Policy which it uses to consider liquor licence applications and for formulating comments in response to applications to Licensing NT. When assessing the liquor licence substitution application lodged by Little Cashy Pty Ltd & Dunstall Pty Ltd under this assessment criteria issues to be considered include:

Proximity and potential impacts on sensitive land uses

When considering the location, the following 'at-risk' groups (particularly children and young people) and services/facilities were identified within the immediate vicinity:

- Good Start Early Learning Centre on Hedley Place, Durack

There are children and families accessing the other facilities in the proposed store's complex including:

- Shell service station
- The Video shop Durack which hires out videos and games
- Domino's Pizza and
- Pharmacy

The majority of the facilities above are accessed by children in the community for their convenience and are accessible by foot/cycle. Youth are not necessarily in the presence of adults and could be subject to anti-social behaviour which is common around liquor stores in Palmerston.

The proposed location is within the locality of several recreation facilities, which are also used by children and families including;

- Palmerston Golf Course
- Marlow Lagoon Recreation Reserve
- Satellite City BMX and the
- Remote Control Car Club

Council is aware of frequent alcohol related incidents occurring within the Marlow Lagoon Recreation Reserve. There are currently no liquor outlets within the immediate vicinity. An additional outlet in this vicinity will make it easier for these people to access liquor.

Number of existing/proposed/approved licensed venues in the locality. Consideration of (represented spatially) existing/proposed/approved licensed venues in the locality with regards to the social conditions of the locality (a review of Socio-Economic Indexes for areas (SEIFA) data if required)

There is another liquor store at the premise (Gateway Shopping Centre) in which Gateway Select Wine, Beer & Spirits is currently located, namely BWS Palmerston Gateway. This is located 2.4 km by road from the Proposed Store. The other closest liquor stores to the Proposed Store (Liquorland Palmerston, BWS Palmerston Drive and Bottle-0 at Cazalys) can be distinguished from the Proposed Store in that they are each part of or connected to a large shopping centre and/or a Tavern.

The suburb of Durack is adjacent to the Central Business Area and adjacent to Yarrowonga, where there are sufficient options for takeaway alcohol. The western side of Durack, where the proposed site is, will only service a small section of Durack. Although University Avenue is a main road, the bulk of the Palmerston suburbs are to the east, and for convenience most can drive to any of the other stores and utilise a drive through service, or park and shop in store.

The Australia Bureau of Statistics (ABS) defines relative socio-economic advantage and disadvantage in terms of people's access to material and social resources, and their ability to participate in society.

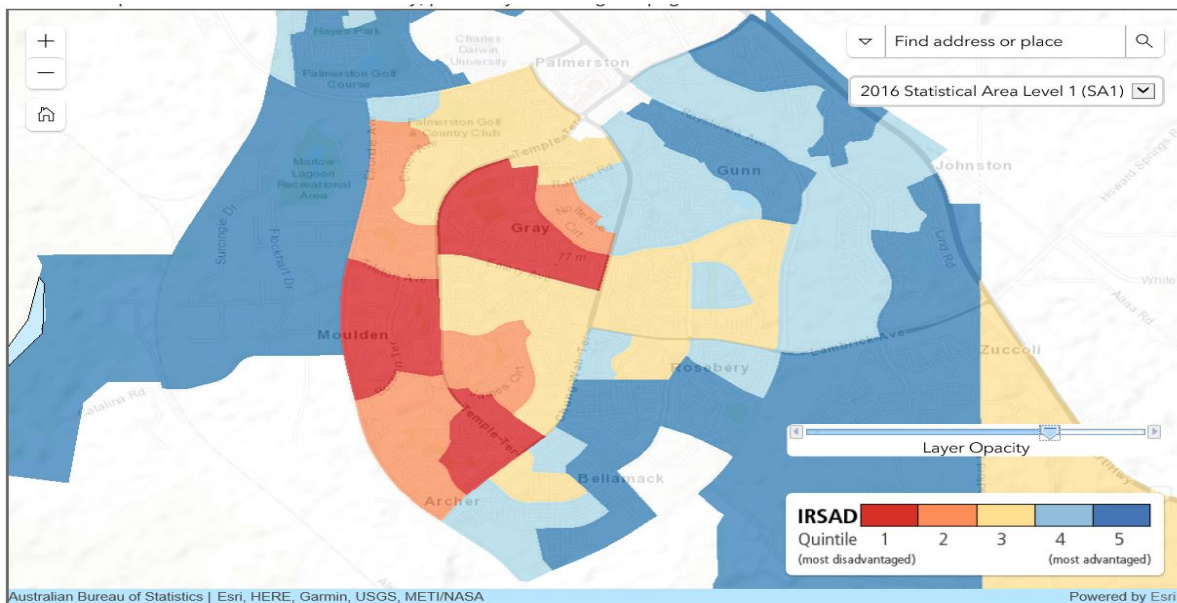
Socio-Economic Indexes for Areas (SEIFA) is an ABS product that ranks areas in Australia according to relative socio-economic advantage and disadvantage. The indexes are based on information from the five-yearly Census of Population and Housing.

SEIFA 2016 has been created from Census 2016 data and consists of four indexes: The Index of Relative Socio-economic Disadvantage (IRSD); The Index of Relative Socio-economic Advantage and Disadvantage (IRSAD); The Index of Education and Occupation (IEO); The Index of Economic Resources (IER). Each index is a summary of a different subset of Census variables and focuses on a different aspect of socio-economic advantage and disadvantage.

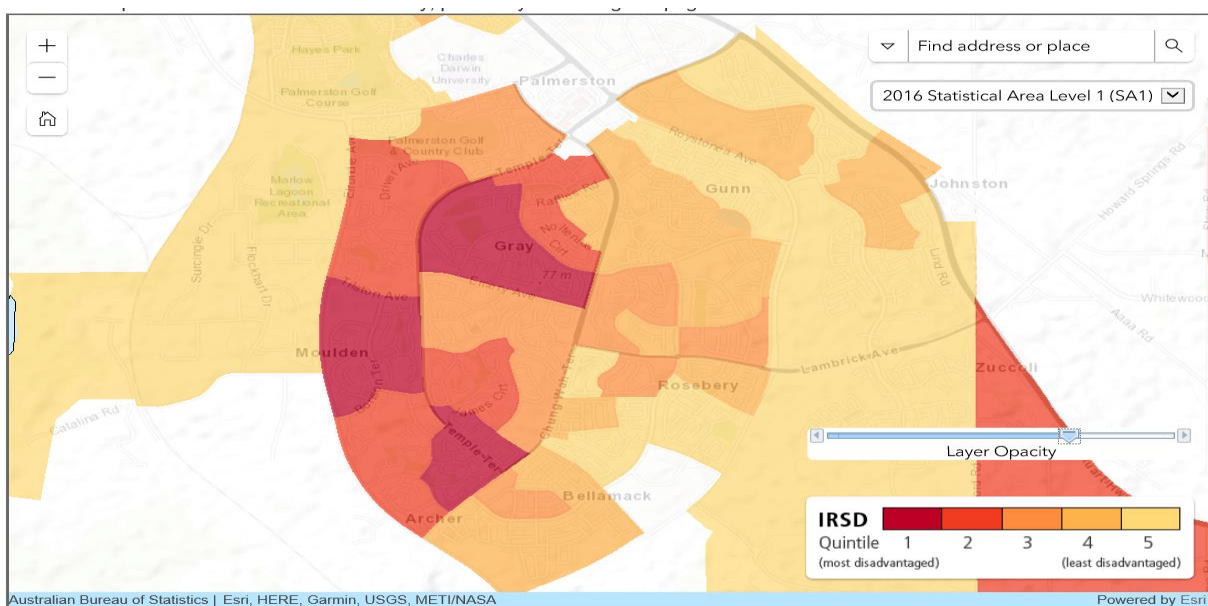
A Place for People

Whilst Durack is a suburb of high Socio-economic outcomes, the neighbouring suburbs of Driver, Moulden, Gray and Woodroffe are not. These neighbourhoods should be considered as within an easily accessible distance, when considering the community impact.

Screen shots of SEIFA Data at Statistical Area Level 1 are shown below. The Hedley Place\University Avenue Roundabout can be made out in the screen shot, and the red areas are the areas of Driver, Moulden, Gray and Woodroffe that fall into the first and second quintile (most disadvantaged) for the various SEIFA Indices.



Index of Relative Socio-Economic Advantage and Disadvantage (IRSAD), 2016, Australian Bureau of Statistics.

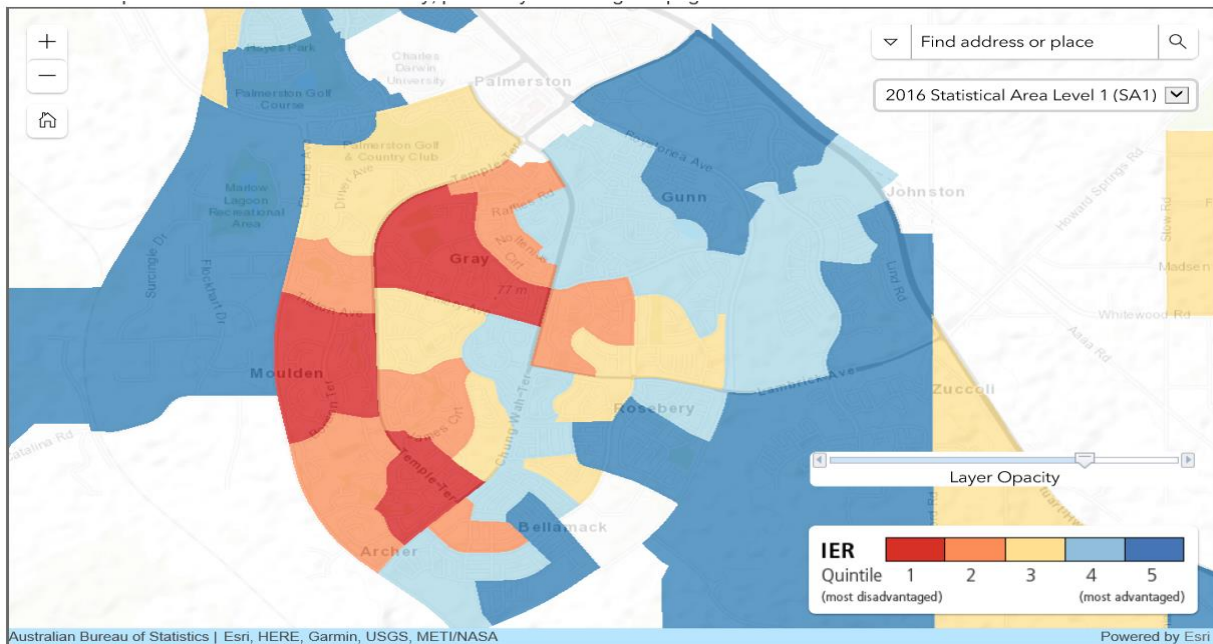


Index of Relative Socio-Economic Disadvantage (IRSD) 2016, Australian Bureau of Statistics.

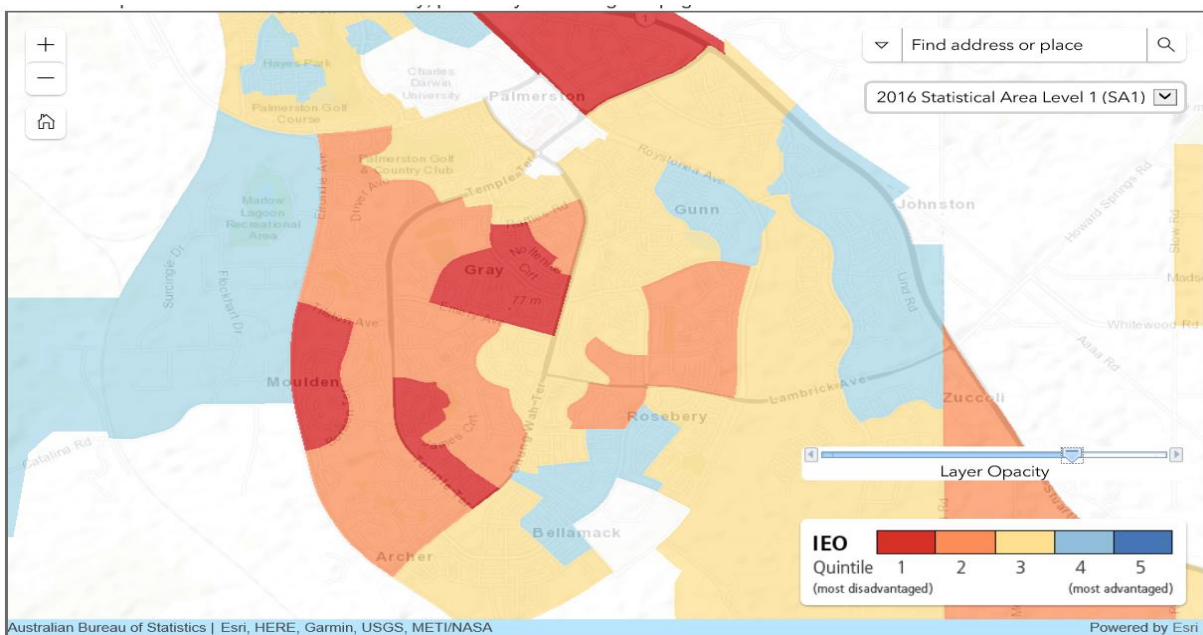
REPORT NUMBER: 9/0295

REPORT TITLE: Liquor Licence Application – Gateway Select Wine, Beer and Spirits – Substitution and Relocation to Liquor Licence Number FLL1019

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Index of Economic Resources (IER), 2016, Australia Bureau of Statistics.



Index of Education and Employment, 2016, Australia Bureau of Statistics.

The extent to which the premise has been designed to minimise the impacts of its activities on an adjacent residential development

It has been identified that there may be issues impacting the amenity of the area including the increased activity of vehicles. The proposed site of the Gateway Select Wine, Beer & Spirits outlet only has one entry point, alongside the childcare centre where vehicles are required to drive through the service station into the complex of shops adjacent. The narrow access way does not appear to be designed for

large volumes of vehicles, and has a pedestrian crossing, requiring vehicles to give way. The narrow restriction of vehicle movements through the service station area is already problematic at peak times. The traffic alone has the potential to impact the amenity of the immediate area.

Level of security and surveillance to be adopted by the licensed premises

Currently there is no known security presence at the Durack location allowing for a possible increase in anti-social behaviour in the area. Significant support is provided to the venue operator in its current location (Gateway Shopping Centre) by the nature of being located in an enclosed mall with a significant security presence. This is not a feature of the proposed location. The Gateway Shopping Centre is a regional shopping centre which is a different commercial environment to the much smaller Fairway Waters Shopping Centre (the proposed location). The lack of controlled shopping mall environment has the potential to increase social issues and impact the amenity of Durack.

Information contained with the Community Impact Assessment that accompanies applications

The Community Impact Assessment (CIA) which accompanies this application, references projected “high population growth” from out of date ABS data. This area (Durack) has long been established and is not expecting growth as indicated repeatedly by the licensee in their CIA. In fact, the next stage of the key development of The Heights Durack has recently been paused for an undetermined period until market conditions improve across the Darwin area. The expected growth in Palmerston is in the eastern suburbs (which would be primarily served by other liquor outlets) not at the proposed location.

Council is unaware of the scale of the existing outlet at Gateway Shopping Centre and how this compares to the new premise at the proposed location. It is possible this is significantly larger than the existing store.

Conclusion

Based on these reasons Council officers deem the proposed license substitution and permanent variation application is not desirable for City of Palmerston and recommend objecting to the licence application.

CONSULTATION PROCESS

There was no consultation required during the preparation of this report.

POLICY IMPLICATIONS

The following Council policy is relevant:

AD03 Alcohol Management

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this report.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Council is a stakeholder on the Palmerston and Rural Area Liquor Accord. Local liquor accords are written voluntary agreements between liquor licenses and other stakeholders that address the supply of liquor, trading hours and other matters relating to the management or conduct of a liquor licensed business with the purpose of preventing or reducing alcohol-related violence.

A Place for People

The Northern Territory Government (Licensing NT) is responsible for (amongst other regulatory roles) the regulation of liquor licences for venues wishing to sell alcohol. While Local Government does not have any decision-making power in the liquor licensing process it does have the opportunity under the *Liquor Act* to provide comment to the NTG about the possible impact of licensed venues, or changes to venue operation on the local community.

Licensing NT has advised City of Palmerston that the following sections of the *Liquor Act* are relevant to these applications:

Under section 32A(5) of the *Liquor Act*, "If the application relates to premises within the area of a shire council or a regional council, the Director-General must, as soon as reasonably practicable, inform the CEO of the council that the application has been made."

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

Attachment A: Correspondence dated 10 August from Principal Licensing Officer – Liquor, Gaming & Racing, Licensing NT

Attachment B: Liquor Licence Number FLL1019

Attachment C: Council Response to Liquor License Application – Little Cashy Pty Ltd & Dunstall Pty Ltd - August 2019

Dear CEO- City of Palmerston

In accordance with Section 46A(4) of the Liquor Act I am obliged to inform you that an application for a substitution of a liquor licence has been made to the Director-General.

If you wish to make an objection to this application, it must be in accordance with Section 47F of the Liquor Act and received by the Director-General by close of business 16 September 2019. If an objection cannot be lodged by that date, then you will be required to seek an extension of time by the Director-General in accordance with Section 127 of the Liquor Act. If you wish to only make a general comment on the application, they can be returned to me.

Little Cashy Pty Ltd & Dunstall Pty Ltd are the licensees for a current liquor licence number FLL1019 with an "Authority – Liquor Merchant" and currently located within The Gateway Shopping Centre. I have attached a copy of their liquor licence for your information, this licence allows only for the sale of takeaway liquor.

Proposed substitution of liquor licence

- It is proposed that the liquor licence and associated business, currently known as Gateway Select Wine, Beer & Spirits be substituted (moved) to different premises and to be relocated to the Fairway Waters Shopping Centre, Unit 3, 130 University Parade, Durack.
- There is no application to change any of the current liquor licence conditions. This licence allows for the sale of takeaway liquor only.
- BDR requirements will apply at the new premises for the sale of any liquor

It is expected that this application will be published in the NT News on the 14 and 17 August 2019. At the end of the advertising and objection period this application must be referred to the Liquor Commission for a decision via a public hearing.

If you wish any further information, please do not hesitate to contact me.

Thanks.

Jeff Verinder

Principal Licensing Officer - Liquor, Gaming & Racing
Licensing NT
Department of the Attorney-General and Justice
Northern Territory Government

Level 3, NAB House, 71 Smith Street, Darwin NT 0800
GPO Box 1154, Darwin NT 0801

Ph: (08) 8999 1805

e: jeff.verinder@nt.gov.au
Web: www.nt.gov.au/justice/

LIQUOR ACT

LIQUOR LICENCE NUMBER FLL1019

LICENSEE: Little Cashy Pty Ltd and Dunstall Pty Ltd

NOMINEE: Michael Coleman


NAME OF PREMISES: Gateway Select Wine, Beer & Spirits
Portion MM1 & MM1A, Lot's 7765, 7766 ;
11037
Gateway Shopping Centre
Intersection of Stuart Highway,
Roystonea Ave and Yarrowonga Road,
PALMERSTON, NT 0830.

AUTHORITY – LIQUOR MERCHANT

**Sale For Consumption
Away From Premises**

Subject to the conditions specified below this
licence authorises the sale of liquor for removal
and consumption away from the licensed
premises.

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CONDITIONS

- | | |
|---|---|
| Failure To Comply | 1. The licence will be subject to a condition that a breach of the <i>Liquor Act</i> by any person employed by or on behalf of the Licensee, shall constitute and be deemed to be a breach of the licence conditions by the Licensee. |
| Notice To Be Displayed | <p>2. The Licensee shall erect and maintain a prominent notice of a size and type satisfactory to the Director-General specifying:</p> <ul style="list-style-type: none"> - The Full name of the Licensee, the Nominee (where the licence is held by a Body Corporate) and the licence number; - The hours between which liquor shall be sold; - Subject to the conditions of this licence, liquor will not be sold to persons under the age of 18 years; - That liquor shall be sold only for removal and consumption away from the premises; - That the licence and its conditions are available for inspection. |
| Licence To Be Available For Inspection | 3. This licence or a fair copy of it shall be kept on the licensed premises at all times and shall be immediately available for inspection by any person. |
| Liquor Purchase Records To Be Kept | 4. The written record required to be maintained by the Licensee pursuant to Section 111 of the Act shall be kept on the premises in a form approved by the Director-General. |

Liquor purchases shall be entered into the record within 28 days of such purchases being made.



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- | | |
|---|--|
| Fire Precautions | 5. The Licensee shall comply with the requirements or instructions of an Authorised Member of the Northern Territory Fire and Rescue Service appointed under the <i>Fire and Emergency Act</i> . |
| Health Requirements | 6. The Licensee shall comply with the requirements of the Chief Health Officer appointed under the <i>Public and Environmental Health Act</i> and his delegates with respect to the requirements of that Act, the Food Act and any other Territory legislation. |
| Premises To Be Kept In Good Repair | 7. The Licensed Premises and all plant, machinery, equipment, fittings, furniture, furnishings and any other item used in connection therewith shall be kept in good order and repair and the premises and its immediate environs shall be maintained in a neat and tidy appearance. |
| Non-alcoholic Drinks To Be Kept | 8. The Licensee shall maintain a reasonable range and stock of soft drinks and fruit juices to the satisfaction of the Director-General. |
| Definitions | <p>9. In this licence, unless the contrary intention appears:</p> <p>(a) the masculine includes the feminine;</p> <p>(b) the singular includes the plural and vice versa;</p> <p>(c) 'the Act' means the <i>Liquor Act</i>;</p> <p>(d) 'the licensed premises' means the area delineated as such on the plan initialled and dated and kept by the Director-General at its office in Darwin or Alice Springs.</p> |
| Security Of Liquor Outside Trading Hours | 10. Outside authorised trading hours all liquor storage and display areas shall be screened off and secured in such a way that the public has no access to such areas. |

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Designated Area

11. Liquor shall only be stored and displayed in the area designated and approved on the plan held by the Director-General.

Gateway Select Wine, Beer & Spirits**Takeaway Hours**

Liquor shall be sold only for consumption away from the premises during the following hours:

- (i) Monday to Friday inclusive between the hours of 10:00 and 22:00;
- (ii) Saturday and Public Holidays between the hours of 09:00 and 22:00; and
- (iii) No trading on Good Friday, Christmas Day or Sunday.

SPECIAL CONDITIONS**Licence Concept**

The Licensee shall maintain the presentation of the premises and the grounds in a way which shall be likely to discourage persons from socially gathering or lingering in the immediate area. In particular, the landscaping shall not provide any shade, no seating or public toilets shall be provided, and any and all external taps shall have recessed keyways rather than handles.

No hot food or heated snack food shall be offered for sale on or from licensed premises.

Cask and Fortified Wines

No cask wine or fortified wine sales in containers larger than two (2) litres.

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Advertising and Signage

The Licensee shall cause to be removed or withdrawn any signage, advertising or promotional material or hoarding which in the opinion of the Director-General, notified in writing to the licensee, shall be offensive, excessive, inconsistent with the concept or nature of the premises or the liquor licence or unacceptable to the Director-General in any other way or any other reason whatsoever.

Liquor Tasting

Liquor tasting is permitted at any time during trading hours provided seven days prior notice is given to the Director-General.

Sale Of Essences

All products including essences which contain more than 1.15% ethyl alcohol by volume marketed in containers exceeding 50ml may only be sold in accordance with licence conditions.

Address for the Service of Notices

The Licensee must provide to the Director-General of Licensing a current address for the service of notices issued under the Liquor Act together with an emergency contact phone number. In the event of a change of address for the service of notices or a change in the emergency contact phone number, the Licensee must inform the Director-General of Licensing, in writing, of the new address and/or the new emergency phone contact number within fourteen days of the change of address or phone number. For the purpose of this condition, an address for the service of notices may be a private mailing address, a post office box address or an email address.

Responsible Service Of Alcohol Certificate

- (a) All staff, who are directly involved in the sale, service or supply of alcohol to the public or the supervision of these activities, are required to hold or obtain a Responsible Service of Alcohol (RSA) Certificate within one (1) month from commencement of employment.
- (b) An RSA Certificate must be obtained from an accredited service provider within Australia.


Mark Wood**Delegate of the Director-General of Licensing**

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8 August 2019**DATE OF EFFECT**

Licence Number: FLL1019

**Lease And Management
Agreements**

- (c) An RSA register in the form approved by the Director-General must be maintained on the premises at all times with a copy of each staff member's RSA certificate included.
- (a) This licence is subject to the condition that a breach of the *Liquor Act* by any person employed by or on behalf of the Licensee, or by or on behalf of any contracted manager of the Licensee, shall constitute and be deemed to be a breach of the licence conditions by the Licensee.
- (b) This licence does not authorise the sale of liquor on or from any part of the licensed premises by any person other than the Licensee or an employee of the Licensee unless the prior approval in writing of the Director-General has been obtained by the Licensee.
- (c) Within twenty four hours of a request by an Inspector of licensed premises, the Licensee shall produce for inspection, by the Inspector, true copies of all agreements and other records establishing or evidencing
 - (i) the contractual relationship between the Licensee and any current manager, lessee or other operator of the licensed premises or any of any part thereof; and
 - (ii) the employer/employee relationship respectively pertaining to all current bar staff and security personnel.

If the Licensee is unwilling to give the Inspector permanent custody of such copy of documentation, the Inspector shall be entitled to remove all documentation produced as aforesaid for the purpose of taking photocopies thereof before returning the produced documentation to the Licensee as soon as reasonably practicable, provided always that such copy of documentation shall remain confidential between the Licensee and the Director-General.



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Credit

Without the written consent of the Director-General, no liquor shall be sold for consumption off or away from the licensed premises unless payment for the sale shall be made before or at the time of the supply or delivery of the liquor.

For the purposes of this condition, payment shall mean payment only by one or more of the following methods:

- (i) by legal tender within the meaning of Australian currency legislation (ie: Australian banknotes and/or coins);
- (ii) by cheque drawn by the purchaser and banked by the Licensee in the normal course of business, the cheque to be neither post-dated nor held by the Licensee against future availability of sufficient funds in the account on which the cheque is drawn;
- (iii) by any nationally recognised charge card, whether a credit card or debit card; or
- (iv) by authorised debit to a pre-existing account with the licensee in the name of and operated by, a body incorporated under any Commonwealth, State or Territory.

Following the point-of-sale processing of the sale by credit card or debit card, the licensee shall not retain possession of the card or store any data or information taken from or in any way relating to the card except only as may be essential for the purpose of completing the transaction with the Licensee's bank in accordance with normal commercial practice. Without in any way limiting the generality of this requirement, in no circumstances shall the licensee seek to know or record a purchaser's PIN in relation to any card or bank account.



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Special Conditions Prevail

Notwithstanding anything contained in this licence, where there is a conflict between a general and special condition, the special condition prevails.

Temporary Variations

Procedure for adding temporary conditions to licence from time to time rather than issuing special licences.

This licence shall be subject to and inclusive of such additional conditions as may at any time be:

- (i) requested in writing by the Licensee;
- (ii) approved by the Director-General, as the case may require, or imposed by the Director-General as a condition of the granting of such a request by a Licensee; and
- (iii) notified in writing by the Director-General to the Licensee.

And such additional conditions shall be deemed to be embodied in this licence and to be conditions of this licence for the expressed duration of their applicability.

For the purposes of this condition "writing" shall include facsimile and e-mail transmission.

Criminal Charge Or Conviction Of Person Engaged By Licensee

- (a) Upon the Licensee learning of the charging or conviction of any person working for or on behalf of or at the direction of the Licensee in the licensed premises, for an offence in any way related to violence or unlawful possession of drugs for any purpose, the Licensee shall immediately advise the Director-General of the charge or conviction, as the case may be, regardless of whether or not the event giving rise to any such charge or conviction occurred within the licensed premises.



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Changes In Corporate Structure

- (b) In relation to any person charged or convicted as aforesaid, the Licensee shall comply with the written directions of the Director-General as to any limitation of duties within the licensed premises which may be assigned to such person or any limitation of direct contact permitted between such person and any patrons on the licensed premises until such time as the matter is considered and dealt with by the Director-General, whose powers in that situation shall include but not be limited to the extension or variation of the directions which have been issued by the Director-General.
- (a) Where the Licensee is a corporate entity it shall notify the Director-General in writing, no later than fourteen days after the relevant event, whenever a person assumes a position of authority or ceases to hold a position of authority
- (b) Upon receipt of any such notification, the Director-General may re-examine the question of the Licensee's fitness to hold the licence, and for that purpose to conduct such reasonable further investigation as thought fit.
- (c) A person occupies a position of authority in a corporate entity if the person :
 - (i) is a Director of the corporate entity;
 - (ii) exercises, or is in a position to exercise, control or have substantial influence over the corporate entity in the conduct of its affairs;
 - (iii) manages, or intends to manage, the business of the corporate entity conducted under the licence and is not the nominee under Section 25 of the *Liquor Act*;

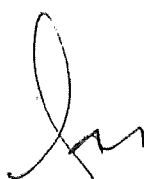


Mark Wood
Delegate of the Director-General of Licensing
 Page 9 of 10

8 August 2019
DATE OF EFFECT
 Licence Number: FLL1019

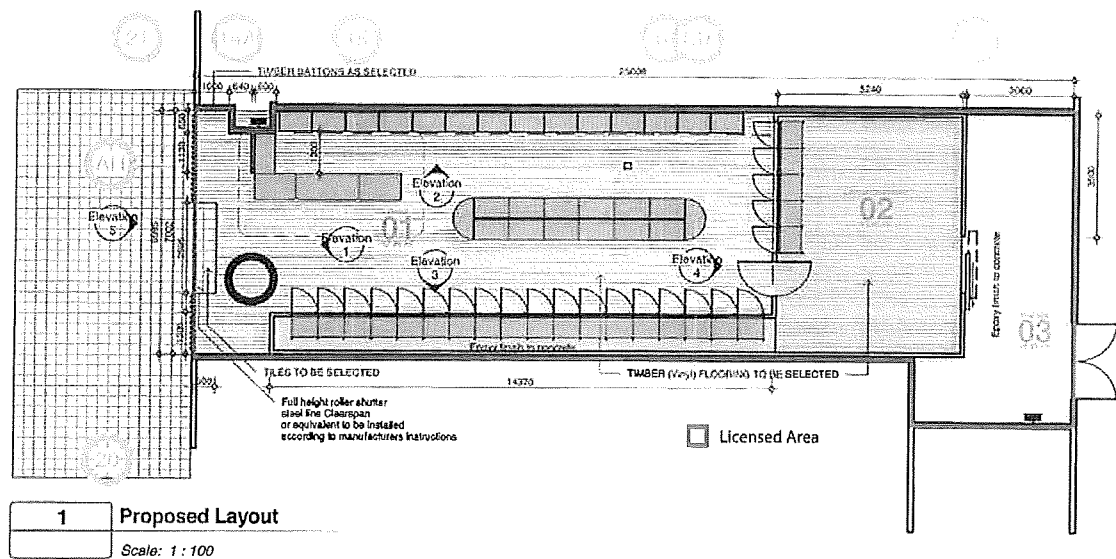
- (iv) if the corporate entity is a club or association – is a member of the Committee of Management;
 - (v) if the corporate entity is a proprietary company, either private or public – is a shareholder owning or controlling more than ten per centum (10%) of the issued voting stock of the company.
- (d) A minor who is a shareholder in a company is not for that reason to be regarded as a person occupying a position of authority.

----- End of Licence -----



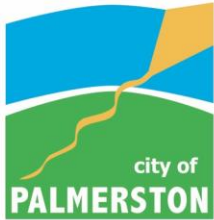
8 August 2019
DATE OF EFFECT
Licence Number: FLL1019

Mark Wood
Delegate of the Director-General of Licensing
Page 10 of 10



THE AREA MARKED IN **RED** IS THE LICENSED PREMISES WITH RESPECT TO LIQUOR LICENCE FLL1019 FOR THE PREMISES KNOWN AS GATEWAY SELECT WINE, BEER & SPIRITS AS AT 8 AUGUST 2019.

MARK WOOD
DELEGATE OF THE DIRECTOR-GENERAL OF LICENSING



ID: 12345 - LC:tm

29 August 2019

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Ms Sally Ozolins
Director-General of Licensing
Licensing NT
Department of Attorney-General and Justice
GPO Box 1154
DARWIN NT 0801

Dear Ms Ozolins

Liquor Licence No FLL1019, Little Cashy Pty Ltd and Dunstall Pty Ltd currently known as Gateway Select Wine, Beer & Spirits, 1 Roystonea Avenue, Yarrowonga, NT 0830. Substitution of Licence from The Gateway Shopping Centre, 1 Roystonea Avenue, Yarrowonga to The Fairway Waters Shopping Centre, Unit 3, 130 University Avenue, Durack.

Thank you for the email dated 10 August 2019 from Jeff Verinder at Licensing NT requesting any comments in relation to the proposed substitution of Liquor Licence No FLL1019, Gateway Shopping Centre, 1 Roystonea Avenue, Yarrowonga as follows:

- It is proposed that the liquor licence and associated business, currently known as Gateway Select Wine, Beer & Spirits be substituted (moved) to different premises and to be relocated to the Fairway Waters Shopping Centre, Unit 3, 130 University Parade, Durack
- There is no application to change any of the current liquor licence conditions. This licence allows for the sale of takeaway liquor only.
- BDR requirements will apply at the new premises for the sale of any liquor.

Council objects to the granting of a Substitution of a Liquor Licence from The Gateway Shopping Centre, 1 Roystonea Avenue, Yarrowonga to The Fairway Waters Shopping Centre, Unit 3, 130 University Avenue, Durack, in accordance with Section 47F of the Liquor Act on the following grounds:

Adverse affect on:

(a) The amenity of the neighbourhood where the premises the subject of the application are or will be located

It has been identified that there may be issues impacting the amenity of the area including the increased activity of vehicles. The proposed site of the Gateway Select Wine, Beer & Spirits outlet only has one entry point, alongside the childcare centre where vehicles are required to drive through the service station into the complex of shops adjacent. The narrow access way does not appear to be designed for large volumes of vehicles, and has a pedestrian crossing, requiring vehicles to give way. The narrow restriction of vehicle movements through the service station area is already problematic at peak times. The traffic alone has the potential to impact the amenity of the immediate area.

When considering the location, the following 'at-risk' groups (particularly children and young people) and services/facilities were identified within the immediate vicinity:

- Good Start Early Learning Centre on Hedley Place

There are children and families accessing the other facilities in the proposed store's complex including:

- Shell service station
- The Video shop Durack which hires out videos and games
- Domino's Pizza and
- a Pharmacy

The majority of the facilities above are accessed by children in the community for their convenience and are accessible by foot/cycle. Youth are not necessarily in the presence of adults and could be subject to anti-social behaviour which is common around liquor stores in Palmerston.

The proposed location is within the locality of several recreation facilities, which are also used by children and families including;

- Palmerston Golf Course
- Marlow Lagoon Recreation Reserve
- Satellite City BMX and the
- Remote Control Car Club.

Council is aware of frequent alcohol related incidents occurring within the Marlow Lagoon Recreation Reserve. There are currently no liquor outlets within the immediate vicinity. An additional outlet in this vicinity will make it easier for these people to access liquor.

(b) The public safety and social conditions in the community

Regarding public safety, currently there is no known security presence at the Durack location allowing for a possible increase in anti-social behaviour in the area. Significant support is provided to the venue operator in its current location (Gateway Shopping Centre) by the nature of being located in an enclosed mall with a significant security presence. This is not a feature of the proposed location. The Gateway Shopping Centre is a regional shopping centre which is a different commercial environment to the much smaller Fairway Waters Shopping Centre (the proposed location). The lack of controlled shopping mall environment has the potential to increase social issues and impact the amenity of Durack.

The Australia Bureau of Statistics (ABS) defines relative socio-economic advantage and disadvantage in terms of people's access to material and social resources, and their ability to participate in society. Socio-Economic Indexes for Areas (SEIFA) is an ABS product that ranks areas in Australia according to relative socio-economic advantage and disadvantage. Whilst Durack is a suburb of high Socio-economic outcomes, the neighbouring suburbs of Driver, Moulden, Gray and Woodroffe are not. These neighbourhoods should be considered as within an easily accessible distance, when considering the community impact. The areas of Driver, Moulden, Gray and Woodroffe fall into the first and second quintile (most disadvantaged) for the various SEIFA Indices.

Based on the above it is clear the proposed substitution of Liquor Licence is unsuitable.

Should you have any queries or concerns please contact me on luccio.cercarelli@palmerston.nt.gov.au or (08) 8935 9910.

Yours sincerely

Luccio Cercarelli
Chief Executive Officer

AGENDA ITEM:	13.2.2
REPORT TITLE:	Local Government Association of the Northern Territory General Meeting Motions and Representation
REPORT NUMBER:	9/0299
MEETING DATE:	3/09/2019
AUTHOR:	Director Governance and Regulatory Services, Chris Kelly
APPROVER:	Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

This report seeks Council approval of motions to be submitted to the Local Government Association of the Northern Territory (LGANT) General Meeting on 7 November 2019.

KEY MESSAGES

- LGANT is calling for policy and action motions for their General Meeting in Alice Springs on 7 November 2019.
- Council may submit any motions or actions it wishes considered.
- It is being recommended that Council submit two motions for consideration by LGANT, namely:
 - LGANT calls on the Northern Territory Government to amend the *Building Regulations* to provide councils access to all building records within their council area; and
 - LGANT amend its constitution to allow broader representation on the Executive.
- Due to unavailability of nominated representatives, Council are being asked to consider representation at LGANT's Annual and General Meeting in Alice Springs being held in November 2019.

RECOMMENDATION

1. THAT Report Number 9/0299 entitled Local Government Association of the Northern Territory General Meeting Motions and Representation be received and noted.
2. THAT Council endorses the following motions to the Local Government Association of the Northern Territory General Meeting on 7 November 2019:
 - Access to Building Records; and
 - Constitutional Amendment on LGANT Executive Composition

being **Attachment A** and **Attachment B** to Report Number 9/0299 entitled Local Government Association of the Northern Territory General Meeting Motions.

3. THAT Alderman _____ be nominated to join Alderman Henderson as the City of Palmerston's representatives at the Local Government Association of the Northern Territory Annual and General Meeting in Alice Springs in November 2019 due to the unavailability of other nominated representatives.

BACKGROUND

LGANT is seeking motions from member councils so they can be considered for adoption as LGANT policy or as actions for LGANT's General Meeting scheduled for 7 November 2019 in Alice Springs. Council has previously submitted motions for the November 2018 meeting which were adopted by LGANT, however did not submit any policies for the April 2019 meeting.

At its Council meeting held on 4 June 2019, Council resolved to appoint the following members as representatives to LGANT:

Local Government Association of the Northern Territory (LGANT)

- i. *THAT Council appoint the Mayor as the delegated representative under clause 3 of the Local Government Association of the Northern Territory (LGANT) Constitution, to represent Council at meetings of the Association for the ninth Council term.*
- ii. *THAT Council appoint Alderman Henderson and Alderman Buhr as its delegated representatives under clause 3 of the Local Government Association of the Northern Territory (LGANT) Constitution, to represent Council at meetings of the Association for the period 1 July 2019 to 30 June 2020.*

CARRIED 9/0657 – 04/06/2019

Due to the unavailability of nominated representatives, Council are being asked to consider representation for LGANT's Annual and General meetings in November 2019.

DISCUSSION

Council has been requested by LGANT to put forward any motions they wish to be considered for adoption as either a LGANT policy or as an action in the LGANT General Meeting to be held on 7 November 2019 in Alice Springs.

LGANT will research and assess each policy or action proposal and if necessary discuss it with Council. The Executive will then later decide at one of its meetings whether to adopt the policy or not, or take the action or not, or to put it to a general meeting for decision.

Policy decisions then form part of LGANT's policy statement which covers areas such as inter-government relations, people and community, finance, taxation and economic reform, transport and infrastructure, economic and regional development, urban affairs and the environment. This document is available on LGANT's website, www.lgant.asn.au. It is currently being reviewed and Council approved a submission at its last meeting, which has been provided to LGANT.

Council staff are recommending two motions to be submitted to LGANT, which are titled:

- Access to Building Records; and
- Constitutional Amendment on LGANT Executive Composition.

Access to Building Records

Under section 148 of the *Local Government Act* (LGA) councils have the ability to raise rates by the following mechanism:

"If an allotment is divided into separate parts or units that are adapted for separate occupation or use, a minimum charge may consist of a fixed amount to be multiplied by the number of separate parts or units."

Although councils have the ability to levy rates in this manner, they are unable to access building records and documentation held by the Northern Territory Government due to the operation of Regulation 15 of the *Building Regulations* which restricts provision of this information to owners or their agents.

This information is required to accurately apply rates in this manner and the absence of it means that councils have to rely on publicly available information, which can be incomplete, inaccurate and not fit for the purpose required. It is therefore recommended that LGANT calls on the Northern Territory Government to amend the *Building Regulations* to allow councils to access all building records and relevant information held by the Northern Territory Government on properties within their respective council areas in order to perform rating and other functions more effectively.

Constitutional Amendment on LGANT Executive Composition

Currently there are five municipal, three shire and nine regional councils that make up LGANT's membership. Up until recently, the nine person LGANT Board comprised four or five people elected from municipal councils and four or five people elected from regional/shire councils. The effect of this is that the balance between municipal councils and regional/shire councils was always a one seat majority to either bloc.

At the April 2019 General Meeting, an amendment to the LGANT Constitution was made which will ensure that the LGANT Board always has four members from municipal councils and five from regional/shire councils. The rationale given for this amendment is equity reasons, namely that there are 12 regional/shire council and five municipal councils.

A more equitable way to achieve the outcome of greater representation for all councils would be to consider a constitutional amendment to enforce the restriction on all councils contesting a second seat on the LGANT Board. This would allow more opportunity for smaller councils to hold seats on the board.

It is current practice that despite being guaranteed representation of one seat, City of Darwin is free to contest for a further seat. This means that at the last Executive elections in November 2018, 16 other councils were only able to contest for seven seats on the executive. This is despite this practice appearing to conflict with other clauses in the constitution.

To ensure broader representation on the Executive, it is therefore recommended that LGANT make the following amendments to its Constitution to ensure that no Council can have more than one member on the Executive, namely clause 14.3 be changed to read:

"The nine (9) person Executive shall comprise:

- (a) the Association President*
- (b) two (2) Vice Presidents elected pursuant to clause 14.11*
- (c) six (6) Executive members*

Should City of Darwin not be successful in having an Elected Member elected as President or Vice President, one of the six Executive member positions will be filled by an Elected Member from the City of Darwin."; and

clause 14.8 be amended to read:

"No Council shall have more than one Elected Member form part of the Executive. The first delegate to be elected/appointed will occupy a position and all other nominations will automatically be withdrawn prior to an election being held for the other positions."

Based on unavailability of members, Alderman Henderson (delegated representative) will attend the Mayor's Forum on behalf of the Mayor scheduled 6 November and will also attend the General Meeting on 7 November and Annual General meeting on 8 November in Alice Springs.

There is an opportunity for another Elected Members to attend and represent Council at the meetings on 7 and 8 November. The opportunity of nomination has been provided as a recommendation to this report.

CONSULTATION PROCESS

The following City of Palmerston staff were consulted in preparing this report:

- Director City Growth and Operations
- Executive Manager Finance
- Manager Growth and Sustainability

No community consultation has been identified as these motions will form part of LGANT's policy statement or result in legislative change led by the Northern Territory Government.

LGANT will research and assess each policy or action proposal and if necessary, discuss it with Council. The Executive will then later decide at one of its meetings whether to adopt the policy or not, or take the action or not, or to put it to a general meeting for decision.

POLICY IMPLICATIONS

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this report.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

If Council is given access to additional building and planning information, as a public sector agency, Council is bound by its obligations under the *Information Act* to respect privacy and confidentiality, and only use the information for appropriate purposes. These restrictions currently govern councils' use of rating information and information accessed from the MOVERS database for compliance purposes as examples.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.



A Place for People

COUNCIL REPORT

1st Ordinary Council Meeting

ATTACHMENTS

Attachment A: LGANT Motion entitled Access to Building Records

Attachment B: LGANT Motion entitled Constitutional Amendment on LGANT Executive Composition

LGANT CALL FOR POLICY AND 'ACTION' MOTIONS



About this document

The purpose of this document is for it to be used as a template for member councils to submit motions to LGANT on issues so they can be considered for adoption as LGANT policy or as actions for LGANT to do at either the April or November General meetings each year or the monthly Executive meetings. The timeframes for submitting motions are ten days before an Executive meeting and six weeks for a General meeting (General meeting agenda has to be submitted 28 days before a meeting and Executive meeting agenda six days before a meeting). Motions can be submitted at any time and will be put to the first available meeting depending on when they are received.

LGANT will research and assess each policy or action proposal and if necessary discuss it with the proponent member council and the Executive will then later decide at one of its meetings whether to adopt the policy or not, or take the action or not, or to put it to a general meeting for decision.

1. What is your Motion?

LGANT calls on the Northern Territory Government to amend the *Building Regulations* to allow councils to access all building records and relevant information held by the Northern Territory Government on properties within their respective council areas.

2. How is the motion relevant to Northern Territory Local Government?

This motion is proposed to be policy of LGANT. Under section 148 of the *Local Government Act* (LGA) Council has the ability to raise rates by the following mechanism:

"If an allotment is divided into separate parts or units that are adapted for separate occupation or use, a minimum charge may consist of a fixed amount to be multiplied by the number of separate parts or units."

Although councils have the ability to levy rates in this manner, they are unable to access building records and documentation held by the Northern Territory Government due to the operation of Regulation 15 of the *Building Regulations* which restricts provision of this information to owners or their agents.

This information is required to accurately apply rates in this manner and the absence of it means that councils must rely on publicly available information, which can be incomplete, inaccurate and not fit for the purpose required.

3. What are your key points in support of your motion?

Under the LGA, councils have available to it a mechanism that allows it to apply rates in an equitable manner when it comes to non-strata titled buildings that contain 2 or more separate parts or units. This clause in the legislation addresses an inequity that

would exist between non-strata and strata titled properties where a non-strata titled property would in most cases pay a significantly smaller portion of rates compared to an identical property that was strata-titled.

However, in order to accurately and consistently apply rates under this clause councils require information in relation to the building design and construction of the properties to ensure that the rates are levied accurately and legally within the definition of “a separate part or unit.” Unlike other jurisdictions within Australia, councils within the Northern Territory are not the planning/building authority and consequently are not the record keepers of this information. This information is held by the Northern Territory Government (NTG). City of Palmerston has been advised by the NTG that it is not currently permitted to provide this information to councils due to Regulation 15 of the *Building Regulations* which restricts provision of this information to owners or their agents. Therefore, councils do not have access to the information required to be able to accurately apply section 148 of the LGA in a fair and consistent manner, but rather by best available information.

There may also be other circumstances where councils are required to access this information for compliance or emergency purposes. As a public sector agency, Council is bound by its obligations under the *Information Act* to respect privacy and confidentiality, and only use the information for appropriate purposes. These restrictions currently govern councils’ use of rating information and information accessed from the MOVERS database for compliance as examples.

This motion thereby calls on the NTG to amend the *Building Regulations* to allow councils’ access to the information that they require to ensure accuracy, consistency and equity in the application of municipal rates.

4. ***Is there a Council Resolution in support of this motion?*** ☒ Yes ☐ No

5. ***Should the motion be LGANT policy?*** ☒ Yes ☐ No

6. ***Contact Information***

Council: City of Palmerston

Name: Luccio Cercarelli

Telephone: 8935 9922

Email: luccio.cercarelli@palmerston.nt.gov.au

LGANT CALL FOR POLICY AND 'ACTION' MOTIONS



About this document

The purpose of this document is for it to be used as a template for member councils to submit motions to LGANT on issues so they can be considered for adoption as LGANT policy or as actions for LGANT to do at either the April or November General meetings each year or the monthly Executive meetings. The timeframes for submitting motions are ten days before an Executive meeting and six weeks for a General meeting (General meeting agenda has to be submitted 28 days before a meeting and Executive meeting agenda six days before a meeting). Motions can be submitted at any time and will be put to the first available meeting depending on when they are received.

LGANT will research and assess each policy or action proposal and if necessary discuss it with the proponent member council and the Executive will then later decide at one of its meetings whether to adopt the policy or not, or take the action or not, or to put it to a general meeting for decision.

1. What is your Motion?

LGANT make the following amendments to its Constitution to ensure that no Council can have more than one member on the Executive, namely clause 14.3 be changed to read:

"The nine (9) person Executive shall comprise:

- (a) the Association President*
- (b) two (2) Vice Presidents elected pursuant to clause 14.11*
- (c) six (6) Executive members*

Should City of Darwin not be successful in having an Elected Member elected as President or Vice President, one of the six Executive member positions will be filled by an Elected Member from the City of Darwin."; and

clause 14.8 be amended to read:

"No Council shall have more than one Elected Member form part of the Executive. The first delegate to be elected/appointed will occupy a position and all other nominations will automatically be withdrawn prior to an election being held for the other positions."

2. How is the motion relevant to Northern Territory Local Government?

This motion will ensure the broadest level of representation for Northern Territory local governments on the LGANT Executive to inform advocacy and policy positions.

3. What are your key points in support of your motion?

Currently there are five municipal, three shire and nine regional councils that make up LGANT's membership. Up until recently, the nine person LGANT Board comprised four or five people elected from municipal councils and four or five people elected from

regional/shire councils. The effect of this is that the balance between municipal councils and regional/shire councils was always a one seat majority to either bloc.

At the April 2019 General Meeting, an amendment to the LGANT Constitution was made which will ensure that the LGANT Board always has four members from municipal councils and five from regional/shire councils. The rationale given for this amendment is equity reasons, namely that there are 12 regional/shire council and five municipal councils.

A more equitable way to achieve the outcome of greater representation for all councils would be to consider a constitutional amendment to enforce the restriction on all councils contesting a second seat on the LGANT Board. This would allow more opportunity for smaller councils to hold seats on the board, without robbing other municipal councils of the opportunity. By way of example, City of Palmerston will not have any representation on the LGANT Board between June 2017 and at least November 2020, when elections are contested again, despite being the fastest growing municipality in the Northern Territory and having 15% of the Northern Territory's population resident within the municipality.

Clause 14.8 of the LGANT Constitution states:

"Where there are multiple nominations from delegates of any one Council for positions on the Executive only one position can be occupied during the term of the Executive. The first delegate to be elected will occupy a position and all other nominations will automatically be withdrawn prior to an election being held for the other positions."

Under clause 14.3(d) one of the six Executive positions shall be an Elected Member from City of Darwin. It is current practice that despite being guaranteed representation of one seat, City of Darwin is free to contest for a further seat.

This appears to be in conflict with clause 14.8, as City of Darwin currently occupies the roles of Vice President-Municipals and an appointed Executive Member. This means that the remaining 16 councils were only able to contest for 7 seats at the November 2018 elections.

Subscription fees are calculated with reference to operating revenue. Whilst City of Darwin pays a higher nominal fee than any other member council, 11 of 17 councils pay fees equal to 0.1545% of their operating revenue, including City of Darwin. This means that the City of Darwin is making no greater contribution relative to their overall financial position than most other councils. Further, it is arguable given that several regional councils, that are more reliant on specific purpose grant revenue, rather than "untied" general revenue, make a greater contribution to LGANT than other councils. City of Darwin also has the largest number of votes under clause 12.1, namely 5 in recognition of it being the Capital City. Having the largest number of votes is fair acknowledgment of their contribution, and additional privileges at the expense of broader representation on the Executive is not necessary.

4. **Is there a Council Resolution in support of this motion?** ☒ Yes ☐ No

5. Contact Information

Council: City of Palmerston

Name: Luccio Cercarelli

Telephone: 8935 9922

Email: luccio.cercarelli@palmerston.nt.gov.au

AGENDA ITEM:	13.2.3
REPORT TITLE:	Council's Submission to the Social Policy Scrutiny Committee on the Draft <i>Burial and Cremation Bill</i>
REPORT NUMBER:	9/0300
MEETING DATE:	3/09/2019
AUTHOR:	Director Governance and Regulatory Services, Chris Kelly
APPROVER:	Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

This report seeks Council approval of Council's submission to the Social Policy Scrutiny Committee on the draft *Burial and Cremation Bill*.

KEY MESSAGES

- The Department of Local Government, Housing and Community Development released a draft *Burial and Cremation Bill* to replace the current *Cemeteries Act*.
- Council made a submission which was considered by the Department.
- The draft Bill was revised and presented to Parliament, adopting several changes requested by Council.
- It has now been referred to the Social Policy Scrutiny Committee.
- Council will continue to advocate against the encouragement of new entrants to the market, as it threatens the viability of Thorak Regional Cemetery.
- Council has also provided comments on other matters.
- Council's approval is sought to lodge the attached submission.

RECOMMENDATION

1. THAT Report Number 9/0300 entitled Council's Response to the Draft *Burial and Cremation Bill* be received and noted.
2. THAT Council endorse the submission being **Attachment A** to Report Number 9/0300 entitled Council's Response to the Draft *Burial and Cremation Bill* to sent to the Social Policy Scrutiny Committee.

BACKGROUND

At the 1st Ordinary Council Meeting of 5 March 2019 Council made the following decisions:

13.2.2 Council's Response to the Draft *Burial and Cremation Bill* 2018

9/0177

1. THAT Report Number 9/0177 entitled Council's Response to the Draft *Burial and Cremation Bill* (NT) 2018 be received and noted.

2. THAT Council endorse the submission being **Attachment A** to Report Number 9/0177 entitled *Submission on the Draft Burial and Cremation Bill (NT) 2018* to be sent to the Department of Local Government, Housing and Community Development.

CARRIED 9/0511 – 05/03/2019

Following presentations from the Department of Local Government, Housing and Community Development in June 2018 and February 2019, Council made a submission on the draft *Burial and Cremation Bill (NT)* to the Department of Local Government and Housing.

The draft Bill was redrafted following public consultation and presented to the Northern Territory Parliament. Changes requested by Council were included in the revised draft. These were:

- ensuring consent of landowners prior to seeking consent from the Northern Territory Government for burial on non-cemetery land;
- clarity that multiple burials can occur where there is an exclusive right of burial;
- time period for an inspector to return their credentials is reasonable; and
- inspector's powers of entry extend to all premises of the responsible entity.

Council was subsequently advised that the draft Bill had been referred to the Social Policy Scrutiny Committee to conduct an inquiry. This committee, consisting of Members of Parliament, will inquire into the bill and report their findings to Parliament, prior to the Bill being finalised. Council has been invited to make a submission to the inquiry.

Council has been advised that its previous submission will not be provided to the Committee as the draft Bill has changed. Council staff have reviewed the updated legislation and this report seeks Council's approval to lodge the submission at **Attachment A** for consideration by the Social Policy Scrutiny Committee.

DISCUSSION

There are a number of specific issues that Council wishes to address in its submission. These issues, which have been raised in the previous submission are:

- the negative outcomes from the encouragement of growth and competition in the burial and cremation sector;
- there needs to be flexibility to allow transfer of an exclusive right of burial in certain circumstances;
- insufficient governance or disclosure requirements for the management of funds held in perpetuity for graves care and maintenance;
- there is no requirement to keep records at a central point; and
- under the proposed legislation, there is no provision for the regulation of funeral directors.

It is also noted that there will be regulations drafted following adoption of the draft Bill. Council strongly encourages public consultation on any regulations.

CONSULTATION PROCESS

There was no consultation required during the preparation of this report, however Council has received two presentations from and made a submission to the Department of Local Government, Housing and Community Development.

The Social Policy Scrutiny Committee is undertaking their own consultation on the draft Bill and submissions are due by 4 September 2019.

POLICY IMPLICATIONS

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

Any legislative change that threatens the viability of TRC increases the likelihood that Council and the community will be required to make financial contributions to ensure that TRC remains operational.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

There is the risk that a change in legislation to enable easier access to the market by new operators risks crowding a small market and threatening the viability of Thorak Regional Cemetery, the only fully operational public cemetery in the Top End. The other risks from the legislation are detailed in the submission.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

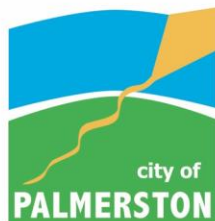
There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

Attachment A: Proposed Submission to the Social Policy Scrutiny Committee



ID: 123456 – LC:ck

23 August 2019

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Palmerston NT 0831

ABN 42 050 176 900

www.palmerston.nt.gov.au

Ms Julia Knight
Committee Secretary
Social Policy Scrutiny Committee
Department of Legislative Assembly
GPO Box 3721
DARWIN NT 0801

Dear Ms Knight

City of Palmerston submission on draft *Burial and Cremation Bill*

Thank you for the opportunity to provide comment on the draft *Burial and Cremation Bill*. Council continues to have significant concerns about the intent of the draft bill that were not addressed as part of the previous consultation.

It is clear that the intent of this Bill is to encourage growth and competition in the burial and cremations sector. Thorak Regional Cemetery (TRC) is the only operational public cemetery within the region and services Litchfield, Palmerston and Darwin. A lack of enough income to cover the expenses of TRC has proven challenging, and this challenge is exacerbated by the size of population in the region it serves not being sufficiently large and historical growth rates slowing.

As a result of these challenges, Litchfield, Palmerston and Darwin local governments recently commissioned KPMG to prepare a business case which would secure the long-term viability of TRC. The Business Case concluded that the establishment of a Ministerial Board with Northern Territory Government (NTG) appropriation for capital and operational expenditure in the order of \$400,000 per annum would best support TRC into the future. TRC is an essential service for the region. It is important to ensure that this essential service continues to operate for the community and its sustainability into the future is secured.

Therefore, given the outcomes recommended in the Business Case and the slowing population growth currently being experienced in the Top End, the intent of this legislation that encourages the development of commercial cemeteries and crematoria is not supported. It further threatens the sustainability of TRC, which will likely result in NTG and local government having to make further contributions to ensure its sustainability. Simply relying on market forces to ensure viability does not ensure that new operators will not emerge to crowd the market.

Council also like to take the opportunity to raise concerns with specific elements of the draft bill.

Section 52 does not allow the transfer of an exclusive right of burial. This absolute restriction does not allow people to on-sell or transfer their burial site if they no longer require it or wish to transfer it to other members of their family. Council is supportive of the intent to remove the use of burial sites as a commodity, however, encourages NTG to consider allowing the transfer of burial sites in appropriate circumstances, eg. between family members, as people's circumstances change over the course of their life. They may wish to change where or how their remains are dealt with or use the burial

site differently, and a compassionate outcome that allows them the flexibility to do is recommended.

Section 104(1)(h) says that any application to transform a closed cemetery into a public park must include information on the number of graves which are held for perpetual care. It does not appear that anywhere else in the draft Bill there are governance or disclosure requirements for the management of funds held in perpetuity for graves care and maintenance. It is recommended that this included in the draft Bill or associated Regulations to minimise the chance of fraud or poor governance.

There are several requirements in the proposed bill to keep a register of cemeteries and for the responsible entity to maintain records, however there is no requirement for records to be kept at a central point, unless a facility closes, in which case records must be forwarded to the NT Archives. Centralised records will make it easier to access and share information including for law enforcement. It is recommended that the bill require records to be centrally maintained by a relevant authority.

Under the proposed legislation, there is no provision for the regulation of funeral directors. There needs to be a regulatory environment for funeral directors that sets out licensing requirements, powers, enforcement and penalties. If this is not the case, then funeral directors are only governed by voluntary industry codes which can still result in poor customer service outcomes without remedy.

Council notes that there is an intention for Regulations to be prepared. Council requests that local government and other stakeholders be consulted on the draft Regulations.

Should you have any queries or concerns, or require further information, please contact Director Governance and Regulatory Services, Mr Chris Kelly on chris.kelly@palmerston.nt.gov.au or (08) 8935 9971.

Yours sincerely

Luccio Cercarelli
Chief Executive Officer

AGENDA ITEM: 13.2.4

REPORT TITLE: Elected Member Insurance Coverage

REPORT NUMBER: 9/0301

MEETING DATE: 3/09/2019

AUTHOR: Director Governance and Regulatory Services, Chris Kelly

APPROVER: Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

This report seeks to inform Council of existing Elected Member insurance coverage and present alternatives.

KEY MESSAGES

- A report has been requested on existing Elected Member insurance coverage and alternatives.
- Current policies that provide varying levels of protection for Elected Members include:
 - Motor Vehicle Insurance (limited);
 - Personal Accident Insurance;
 - Public Liability-Professional Indemnity; and
 - Councillors and Officers Liability.
- A review has been conducted and a change to motor vehicle coverage is recommended to provide more effective coverage for Elected Members at no extra cost.

RECOMMENDATION

1. THAT Report Number 9/0301 entitled Elected Member Insurance Coverage be received and noted.
2. THAT Council amend its Motor Vehicle Insurance Policy to provide coverage for the loss of any excess and no claim bonus for any Elected Member up to \$1,500 per event for a vehicle used in connection with Council business with prior consent as outlined in the report.

BACKGROUND

At the 1st Ordinary Council Meeting of 6 August 2019 Council made the following decision:

28.1 Elected Member Coverage

8/1395

THAT a report be presented to Council regarding existing Elected Member insurance and other coverage whilst on Council business and present any alternative options by the First Ordinary Meeting in September 2019.

CARRIED 9/0769 – 06/08/2019

Following a request at a recent Council meeting, this report is provided on existing Elected Member coverage and any alternatives.

DISCUSSION

Council procures its insurance through an insurance broker Jardine Lloyd Thompson, known as JLT. JLT is a commonly used broker for insurance in local government throughout Australia. Council has a number of different insurance policies which are brokered through JLT. Policies that provide varying levels of protection for Elected Members include:

- Motor Vehicle Insurance (limited);
- Personal Accident Insurance;
- Public Liability-Professional Indemnity; and
- Councillors and Officers Liability.

Motor Vehicle Insurance

Cover is available, up to \$50,000 in respect of any one accident, to an Elected Member owned vehicle whilst being used in connection with Council business and with Council's consent. Claims will not be paid if there is any other insurance for the same event at the time of the accident or loss, except for any amount in excess of the limit of indemnity under the other insurance.

If Elected Members are required to hire a car as part of their responsibilities, they are insured for the excess charged by a hire company, up to \$5,000. Council's ordinary excess of \$500 would still apply.

Personal Accident Insurance

The main purpose of this policy is to provide a weekly injury benefit for Elected Members who may be injured whilst performing work for and on behalf of Council as they do not fall within the definition of a worker for Worker's Compensation purposes and are therefore not covered by Workers' Compensation insurance. Various sums apply for different types of injuries, however sickness, as distinct from injury, is not covered. The waiting period is 7 days and payments and coverage period differ depending on the type of injury.

Public Liability-Professional Indemnity

Public Liability-Professional Indemnity is insurance for where Council becomes legally liable to pay compensation in respect of the following caused by an occurrence in connection with Council:

- a. Public/Products Liability (Personal Injury and Damage to Property)
- b. Professional Indemnity (Negligent Act, Error or Omission)

The cover specifically includes Elected Members whilst acting within the scope of their duties for and on behalf of Council.

Councillors and Officers Liability

Councillors and Officers Liability is insurance coverage to protect Elected Members and staff arising from an actual or alleged wrongful act committed by Elected Members individually or collectively in the

capacity of their role where coverage under public liability does not apply. The intention of this policy is to provide coverage for defence, not the consequences of an act or omission.

Additional Options

Council staff have undertaken a review to ensure that Council's insurance for Elected Members is contemporary and reflects best practice. Additional options are provided for Elected Members consideration in relation to Motor Vehicle and Personal Injury Insurance.

Motor Vehicle

Council can insert the following provision to its Motor Vehicle Policy with the intent to ensure Elected Members are no worse off following an incident. This is used quite commonly in local government around Australia, noting that Elected Member vehicle damage claims are rare.

"This policy extends to cover the loss of any excess and no claim bonus of any Elected Member up to a limit of \$1,500 per event, where Elected Members have used their own vehicles in connection with your business, with Council consent."

The current policy is primarily designed for corporate fleet and provides no assistance to covering the excess for Elected Members. It is recommended that Council adopt this policy amendment which would replace the current policy.

Loss of no claim bonus coverage is for the first renewal only of the Elected Member's motor vehicle insurance after the incident and on provision of the Elected Members renewal notice being supplied.

Council's insurers have a broad definition of Council business, namely that it is connection with any function of Council. Consent is more challenging to define, however a generally accepted definition would be that consent includes where it is a Council event or meeting, where an Elected Member has been invited in their capacity as an Elected Member, where they are attending by Council resolution or at the request of the Mayor/Elected Member or responding to a constituent enquiry. It would not include any campaigning or party-political activities. To be practical, consent can also be implied so prior approval is not necessarily required. This will ensure that Elected Members don't need prior consent to use their motor vehicle to attend community events or respond to constituents.

In order to demonstrate consent, evidence would need to be provided to the Chief Executive Officer and Council's insurer of the consent, eg. an invitation, correspondence from a constituent, minutes of a meeting etc, in order for Council to lodge the claim.

Coverage for Elected Members would be conditional upon the vehicle being privately owned, and comprehensively insured. JLT have advised, that as most Elected Members across Australia are prudent and fully insure their private vehicles, this policy works effectively and is common in local government. Initial discussions with Council's insurer have indicated that a change to this policy would likely incur no additional cost, however this has not been finalised. Council's insurance broker is also willing to explore having both the current and this proposed policy coverage, however this has not been costed.

As an alternative, Council could consider similar wording to the above as a Council Policy and reimburse Elected Members from Council funds with the intent to ensure they are no worse off following an incident (i.e. self-insure). This would have the effect of covering Elected Member's excess and their

comprehensive coverage would cover the balance of liability. As Council can achieve insurance coverage to this effect at no additional cost, this option is not recommended as it is not necessary.

Council could add Elected Member vehicles to its current Policy for comprehensive cover and pay the appropriate premium. This is not recommended as Council use of vehicles would only be a proportion of total use, it would increase Council's insurance premium, may be perceived as a benefit and any claims will impact Councils renewal negotiations.

Personal Injury Insurance

Currently Council's Personal Injury Insurance does not provide coverage for illness as it is unlikely that Elected Members would incur an illness as a result of undertaking Council duties. Council's insurance broker has obtained a quote from the Personal Accident insurer for the inclusion of sickness coverage for the Mayor and Seven (7) Aldermen based on the Weekly Sickness benefit of \$2,000, up to 85% of salary, 104 week benefit period and 7 day excess. The extra premium for this option is \$10,421 plus GST and Stamp Duty. By comparison, the Personal Injury policy premium is \$431.97 for 2019/2020. Due to the low risk of this occurrence, and the availability of private personal injury insurance, this insurance is not recommended.

CONSULTATION PROCESS

In preparing this report, the following external parties were consulted:

- JLT Insurance Brokers who provided advice on Council's policy coverage and suggested alternatives.

POLICY IMPLICATIONS

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

If Council choose to amend its motor vehicle insurance policy as suggested in the report, initial advice is that there would no additional cost. If Council choose to self-insure to a similar extent, then there could be savings which will be offset by increased costs.

Other changes to Motor Vehicle and Personal Injury Insurance are not recommended in part due to the increased in premium costs.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

There are no risk, legal and legislative implications relating to this report.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.



A Place for People

COUNCIL REPORT

1st Ordinary Council Meeting

ATTACHMENTS

There are no attachments for this report.

AGENDA ITEM:	13.2.5
REPORT TITLE:	Palmerston Division of the Development Consent Authority (DCA) - Representation
REPORT NUMBER:	9/0303
MEETING DATE:	3/09/2019
AUTHOR:	Chief Executive Officer, Luccio Cercarelli
APPROVER:	Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

Cultural Diversity: In Palmerston we celebrate our cultures in a way that values our diversity.

PURPOSE

The purpose of this report is to seek Council nominations to the Palmerston Division of the Development Consent Authority (DCA).

KEY MESSAGES

- Council may nominate to the Palmerston Development Consent Authority (DCA) two representatives to be appointed as members and one representative as the alternate member.
- Deputy Mayor Giesecke and Alderman Henderson are the current members with Mayor Pascoe-Bell as the alternative member. Their terms expire on 3 December 2019.
- The Minister has requested Council provide nominations for the Palmerston Division of the DCA.

RECOMMENDATION

1. THAT Report Number 9/0303 entitled Palmerston Division of the Development Consent Authority (DCA) - Representation be received and noted.
2. THAT Council nominate and as members of Palmerston Division of the Development Consent Authority (DCA).
3. THAT Council nominate as the alternate member of the Palmerston Division of the Development Consent Authority (DCA).

BACKGROUND

The current Palmerston Division of the DCA comprises:

- Suzanne Philip (Chair)
- Steve Ward
- Trevor Dalton
- Benjamin Giesecke
- Sarah Henderson
- Athina Pascoe-Bell

In accordance with sections 89 and 91 of the *Planning Act 1999* Council may nominate, to the Minister, two people to be appointed as members, and one person to be appointed as the alternative member of the Palmerston Division of the DCA.

In July 2018, following nominations by the Council, the Minister appointed Deputy Mayor Giesecke and Alderman Henderson as members and Mayor Pascoe-Bell as the alternative member for a term expiring on 3 December 2019.

Each division of the DCA determines development applications within their area.

DISCUSSION

The Minister for Infrastructure, Planning and Logistics has recently written to Council seeking nominations for members of the Palmerston Division of the DCA, **Attachment A**.

Nominations are required within 30 days.

The term of appointment under the *Planning Act* is for a period of two years or lesser period as specified by the instrument of appointment.

The Palmerston Division of the DCA currently meet once a month.

It is recommended that Council nominate two members and one alternative member to the Minister.

CONSULTATION PROCESS

There was no consultation required during the preparation of this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this report.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Section 92 of the *Planning Act* refers to terms of office of DCA members:

92 Term of office of member

- (1) *Subject to this Act, a member appointed under section 89, 90 or 91 holds office for 2 years or a lesser period specified in the instrument of appointment and is eligible for reappointment.*
- (2) *If a member is appointed under section 89(1)(a) or 91(1) and the next election (other than a by-election) for the local authority by which he or she was nominated is held before the member ceases to be a member, the member holds office until the expiration of 3 months after the declaration of the polls for the election.*

- (3) *If the Minister abolishes a Division of the Development Consent Authority, the members appointed under this Part in respect of the Division cease to be members on and from the date on which the notice abolishing the Division appears in the Gazette.*

Terms of current Council nominated members expire on 3 December 2019

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

There are no environment sustainability implications for this report.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

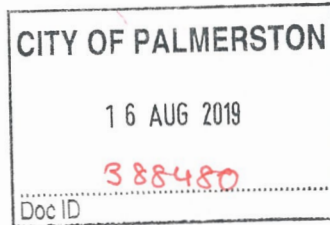
ATTACHMENTS

Attachment A: Letter from Minister for Infrastructure, Planning and Logistics



MINISTER FOR INFRASTRUCTURE, PLANNING AND LOGISTICS

Parliament House
State Square
Darwin NT 0800
minister.lawler@nt.gov.au



GPO Box 3146
Darwin NT 0801
Telephone: 08 8936 5566
Facsimile: 08 8936 5609

Her Worship the Mayor of Palmerston
Mrs Athina Pascoe-Bell
City of Palmerston
PO Box 1
PALMERSTON NT 0831


Dear Mayor

The terms of appointment of the Council nominated members on the Palmerston Division of the Development Consent Authority expire on 3 December 2019.

In accordance with section 89 and 91 of the *Planning Act 1999*, you may nominate two persons to be appointed as members, and one person to be appointed as the alternate member (for those members) of the Development Consent Authority.

Could you please provide to me within 30 days, your Council's nominations for members of the Palmerston Division of the Development Consent Authority.

Yours sincerely

EVA LAWLER

12 AUG 2019



14 INFORMATION AND CORRESPONDENCE

14.1 Information

14.1.1 LGANT Draft Executive Minutes – 19 August 2019

THAT Council receive and note Item 14.1.1 entitled LGANT Draft Executive Minutes - 19 August 2019.

**LOCAL GOVERNMENT ASSOCIATION
OF THE NORTHERN TERRITORY**

**MINUTES OF THE LGANT EXECUTIVE MEETING
HELD ON MONDAY 19 AUGUST 2019 IN THE LGANT OFFICE
COMMENCING AT 8:15 AM**

1. PERSONS PRESENT AT THE MEETING OR ON THE TELEPHONE

Mayor Damien Ryan	President – Municipal
Alderman Gary Haslett	Vice President – Municipals
Mayor Maree Bredhauer	Executive – All Councils
Councillor Bobby Wunungmurra	Executive – Regional and Shires
Mayor Matthew Ryan	Executive – Regional and Shires
Alderman Peter Pangquee	Executive – Municipal
IN ATTENDANCE:	
Tony Tapsell	LGANT CEO
Peter McLinden	LGANT
Elaine McLeod	LGANT – Secretariat

2. APOLOGIES FROM MEMBERS WHO WERE ABSENT FROM THE MEETING

Mayor Steven Edgington	Vice President – Regional and Shires
Mayor Fay Miller	Executive – Municipal
Mayor Judy MacFarlane	Executive – Regional and Shires

RESOLUTION

That members:

1. accept the acknowledgements from members that they are unable to attend the meeting
2. approve the applications from members for leave of absence from the meeting.

Moved: Alderman Pangquee

Seconded: Councillor Wunungmurra

Carried

3. NOTIFICATION OF CONFLICT(S) OF INTERESTS**4. CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING****RESOLUTION**

THAT the minutes of the Executive meeting held on 15 July 2019 as circulated, be confirmed as a true and correct record of this meeting.

Moved: Mayor Bredhauer

Seconded: Mayor Matthew Ryan

Carried

5. ACCEPTANCE OF THE AGENDA AND NOTIFICATION OF GENERAL BUSINESS ITEMS**RESOLUTION**

THAT the papers as circulated be received for consideration at the meeting and there were no notifications of matters to be raised in general business.

Moved: Alderman Haslett

Seconded: Alderman Pangquee

Carried

**LOCAL GOVERNMENT ASSOCIATION
OF THE NORTHERN TERRITORY**

6. DECISIONS THE EXECUTIVE IS BEING ASKED TO MAKE THIS MEETING

6.1 Financial Reports for 30 June 2019

Discussion

Clarification was requested on the makeup of the Operating Income. This question was taken on notice and the following information was emailed to members after the meeting:

Operating income of \$3,579,796 as at 30 June 2019 was \$4,331,204 under the budgeted figure of \$7,911,000, creating a negative budget income variance.

Operating expenditure of \$3,637,647 as at 30 June 2019 was \$4,026,853 under the budgeted figure of \$7,664,500, creating a positive budget expenditure variance.

This has resulted in an overall negative budget variance as at 30 June 2019 of \$304,351.

RESOLUTION

THAT the Executive receives and adopts the financial reports for 30 June 2019.

Moved: Mayor Bredhauer

Seconded: Alderman Haslett

Carried

6.2 Draft LGANT Policy on Protective Security

Discussion

Members heard that the draft policy is based on feedback received from council CEOs. The JLT Public Risk report (see agenda item 8.11) puts cyber security as the number two concern for councils in Australia. It was suggested that the draft LGANT Policy on Protective Security be replicated in council policies.

RESOLUTION

That the Executive approves the draft LGANT policy on protective security.

Moved: Mayor Bredhauer

Seconded: Councillor Wunungmurra

Carried

6.3 Incorporation of LGANT

Discussion

The CEO reiterated that a marked up copy of the LGANT constitution as well as the full text will be in the agenda for the next Executive meeting before going to the general meeting in November 2019.

RESOLUTION

That the Executive approves a revised LGANT Constitution being presented to member councils at the November 2019 general meeting.

Moved: Councillor Wunungmurra

Seconded: Mayor Bredhauer

Carried

6.4 National Congress and Business Expo 2019 – The Future Local Government Leader

Discussion

Members discussed gender equality and what LGANT can do to move forward in this space. LGANT will continue to assist the ALGWA NT branch and encourage councils to help more women get into local government.

**LOCAL GOVERNMENT ASSOCIATION
OF THE NORTHERN TERRITORY**

RESOLUTION

That the Executive approves LGANT policy development on gender equality.

Moved: Alderman Pangquee
Seconded: Mayor Bredhauer
Carried

6.5 Child Safety Officer Positions in Local Government**Discussion**

Members raised concerns about the:

- shifting of responsibility
- impost on councils, particularly regional councils
- lack of communication between government agencies and councils
- subject to be changed to read "Child Safety Request by the Federal Government".

Action

1. LGANT CEO to circulate Minister's letter and the Royal Commission recommendation 6.12 to council CEOs under the headline "Child Safety Request by the Federal Government" asking for a response in relation to what their councils already do in this area.

RESOLUTION

That the Executive receives and notes the report on child safety officer positions in local government.

Moved: Alderman Pangquee
Seconded: Mayor Matthew Ryan
Carried

7. REPORTS ON ACTIONS REQUIRED TO BE DONE FROM THE LAST MEETING**7.1 Submission to the Review of the Draft Local Government Bill 2019****7.2 Terms of Reference for LGANT Reference Groups****7.3 Review of LGANT Policy Statements****7.4 Funding for Coastal Communities to Build Cyclone Shelters****RESOLUTION**

THAT the Executive receives and notes the reports on actions required to be done from the last meeting and including noting those that are completed.

Moved: Mayor Matthew Ryan
Seconded: Alderman Pangquee
Carried

8. BUSINESS WHICH ONLY REQUIRES THE EXECUTIVE TO RECEIVE AND NOTE INFORMATION**8.1 Roads to Recovery Report 2014-2019****Discussion**

Members noted the 24 projects that LGANT completed under this program.

RESOLUTION

That the Executive receives and notes the report on LGANT Roads to Recovery Program 2014-2019.

LOCAL GOVERNMENT ASSOCIATION
OF THE NORTHERN TERRITORY

Moved: Councillor Wunungmurra
Seconded: Mayor Bredhauer
Carried

8.2 New Roads to Recovery Program 2019-2024**Discussion**

Members noted the projects approved and under consideration for the next five years.

RESOLUTION

That the Executive receives and notes the report on Roads to Recovery Program 2019-2024.

Moved: Alderman Pangquee
Seconded: Mayor Matthew Ryan
Carried

8.3 Infrastructure for Water in Regional and Remote Communities**Discussion**

Members discussed concerns around lack of water supply to many communities across the Northern Territory.

Members asked that LGANT follow up for a response from the Minister as a matter of urgency.

(NOTE: A letter from the Minister was received the day after this meeting and forwarded out to all NT councils and Executive members.)

RESOLUTION

That the Executive receives and notes the report on Infrastructure for Water in Regional and Remote Communities.

Moved: Councillor Wunungmurra
Seconded: Mayor Bredhauer
Carried

8.4 Town Planning for Towns on Aboriginal Land Trust Land**Discussion**

Members noted the report.

RESOLUTION

That the Executive receives and notes the report on Town Planning for Towns on Aboriginal Land Trust Land.

Moved: Mayor Matthew Ryan
Seconded: Alderman Haslett
Carried

8.5 Independent Town Camps Review**Discussion**

Members noted the report.

RESOLUTION

That the Executive receives and notes the report on the Independent Town Camps Review.

Moved: Alderman Haslett
Seconded: Mayor Matthew Ryan
Carried

LOCAL GOVERNMENT ASSOCIATION
OF THE NORTHERN TERRITORY**8.6 Statutory Immunity for Roads Authorities****Discussion**

Members noted the report and the response from the Minister which suggested the government would not be taking any action on the issue.

RESOLUTION

That the Executive receives and notes the report on Statutory Immunity for Roads Authorities.

Moved: Alderman Haslett

Seconded: Alderman Pangquee

Carried

8.7 Australian Institute of Company Directors Course – Governance Essentials for Local Government**Discussion**

Members noted that the next lot of training will take place during the week of 7 to 11 October 2019 in both Darwin and Alice Springs.

RESOLUTION

That the Executive receives and notes the report on the Australian Institute of Company Directors Course – Governance Essentials for Local Government.

Moved: Mayor Matthew Ryan

Seconded: Councillor Wunungmurra

Carried

8.8 NAPCAN Prevent Child Abuse and Neglect**Discussion**

Members noted the resources and organisations that are in a position to support local governments.

RESOLUTION

That the Executive receives and notes the report on LGANT Officers participation in the Top End Prevention Alliance for Children, Families and Communities under the auspices of the National Association for the Prevention of Child Abuse and Neglect (NAPCAN).

Moved: Alderman Pangquee

Seconded: Mayor Bredhauer

Carried

8.9 Concerns About Local Government Response to Media Scrutiny of Glyphosate**Discussion**

Members were unaware of any media scrutiny about glyphosate in their council areas and noted the response to the National Farmers' Federation.

RESOLUTION

That the Executive receives and notes the report on concerns about local government response to media scrutiny of glyphosate.

Moved: Alderman Haslett

Seconded: Mayor Bredhauer

Carried

8.10 Risk Management Report**Discussion**

Members noted the actions taken to reduce risks for LGANT.

**LOCAL GOVERNMENT ASSOCIATION
OF THE NORTHERN TERRITORY**

RESOLUTION

That the Executive receives and notes the report on LGANT's Risk Management Plan.

Moved: Alderman Haslett

Seconded: Mayor Matthew Ryan

Carried

8.11 JLT Public Sector Risk Report 2019**Discussion**

Members noted the report and in particular the top 13 rankings of risk for local government.

RESOLUTION

That the Executive receives and notes the report on the JLT Public Sector Risk Report.

Moved: Mayor Matthew Ryan

Seconded: Alderman Haslett

Carried

9. PRESIDENT'S REPORT**10. BUSINESS FROM PREVIOUS MEETING THAT IS NOT YET FINISHED****10.1 Transfer of Local Roads from the NT Government to Local Government****Future Action**

Attend Regional Roads Committees meetings and report.

10.2 Northern Territory Government Remote Housing**Future Action**

Provide progress reports. The NTG quarterly publication "Construction Snap Shot" provides details of the many projects that are being undertaken.

10.3 Roadmap for Renewable Energy**Future Action**

LGANT to monitor deliberations of NTG to do with its Renewable Energy Strategy 2030.

10.4 Administration and Legislation Advisory Committee**Future Action**

Attend the next meeting when it is called and report.

10.5 NT Alcohol Policies and Legislation Review**Future Action**

Wait for a response from the Chief Minister.

10.6 Draft LGANT Policies on Language, Literacy and Numeracy**Future Action**

Await responses from the Commonwealth and Territory governments.

10.7 LGANT Submission to the Aviation Inquiry**Future Action**

No further action required.

10.8 Coroner's Report and Recommendations to do with Work Zone Traffic Management**Future Action**

**LOCAL GOVERNMENT ASSOCIATION
OF THE NORTHERN TERRITORY**

Continue to attend DIPL meetings and provide progress reports.

DRAFT

**LOCAL GOVERNMENT ASSOCIATION
OF THE NORTHERN TERRITORY**

10.9 East Arnhem Region – LGANT Road Network**Future Action**

East Arnhem Regional Council is to consider the matter at one of its meetings.

10.10 Health, Safety and Security Projects for Regional Council**Future Action**

Awaiting direction from the Department of Local Government and also responses from councils to the government's offers.

10.11 Subdivision Development Guidelines**Future Action**

Await receipt of the final copy of the Guidelines and consultation letters to go to member councils. Councils to adopt Guidelines as policies.

10.12 Council Motion – Councils' Legal Obligation to Manage and Maintain Aboriginal Land Trust Land**Future Action**

Circulate advice once it has been received.

10.13 Environmental Regulatory Reform**Future Action**

LGANT to continue discussions with the NT EPA and Department in regards to Stage 2 of the reforms.

10.14 Life Membership of LGANT Award**Future Action**

Executive to consider the matter at its September 2019 meeting.

10.15 Members' Satisfaction Survey**Future Action**

Review survey and submit report along with recommendations for improving participation in the survey.

10.16 Council Motion – Stamp Duty Exemption for Councils in the Northern Territory**Future Action**

No further action required.

10.17 Council Motion – Uniform Animal Management Legislation**Future Action**

Await response from the Minister.

10.18 Local Government Workforce and Future Skills Report**Future Action**

Provide a further report following the national conference.

10.19 Energy Productivity, Efficiency Measures and Renewable Energy**Future Action**

No further action required.

10.20 Per- and Poly-Fluoroalkyl Substances (PFAS)**Future Action**

Councils to review their monitoring of the above plan to the extent it affects them.

10.21 Improve Outcomes for Closing the Gap of Aboriginal Disadvantage**Future Action**

Continue to provide progress reports.

**LOCAL GOVERNMENT ASSOCIATION
OF THE NORTHERN TERRITORY**

10.22 Council Motion – Improving Voting and Voter Turnout at Council Elections**Future Action**

Review the matter following the release of the NT Electoral Commissioner's report on the 2017 council elections.

10.23 Council Motion – Family Friendly Policies to Attract and Retain Elected Members**Future Action**

City of Palmerston to provide LGANT with guiding principles.

10.24 Council Motion – Development of Emergency Management Plans**Future Action**

Await response from the Minister.

10.25 LGANT Executive Motion – Fair Superannuation and Remuneration for Mayors, Presidents, Aldermen and Councillors in the Northern Territory**Future Action**

Councils to become conversant with the processes of the NT Remuneration Tribunal.

10.26 Eligibility for Election as a Member of Council**Future Action**

The Executive to decide if it wishes to pursue the matter any further.

10.27 Aged Care Across the Northern Territory**Future Action**

CEOs to advise if they have anything to add for a submission.

10.28 Bench Marking the Rating of Mining and Pastoral Properties in Northern Australia**Future Action**

Commission somebody to do research and report.

10.29 Senate Inquiry into Regional Inequality**Future Action**

Wait to see if the 46th Parliament decides to recommence the inquiry.

10.30 Submission on Remote Employment and Participation**Future Action**

No further action required as it is likely to be overtaken by other developments following the establishment of the new agency.

RESOLUTION

THAT the Executive receives and notes the reports on business from previous meetings that is not yet finished.

Moved: Alderman Haslett

Seconded: Councillor Wunungmurra

Carried

11. BUSINESS NOT YET FINISHED BUT INACTIVE

11.1	Constitutional Recognition of Aboriginal and Torres Strait Islander People
11.2	Territory Wide Logistics Master Plan – Discussion Paper

**LOCAL GOVERNMENT ASSOCIATION
OF THE NORTHERN TERRITORY**

RESOLUTION

THAT the Executive accept the business not yet finished but inactive.

Moved: Councillor Wunungmurra

Seconded: Mayor Matthew Ryan

Carried

12. MEMBERS QUESTIONS – Nil

13. GENERAL BUSINESS – Nil

14. COMPLETED BUSINESS

14.1	Robinson River Roads Project – Roads to Recovery
14.2	2019/20 LGANT NT Budget Submission
14.3	Council Motion – Remote Engagement and Coordination Strategy
14.4	Nominations to the NT Grants Commission
14.5	Nominations to the NT Planning Commission
14.6	Renal Dialysis in Remote Areas

RESOLUTION

That the Executive recommends to LGANT that the items of completed business be removed from the Executive meeting agenda for the next meeting.

Moved: Alderman Pangquee

Seconded: Alderman Haslett

Carried

15. CONFIDENTIAL BUSINESS

16. NEXT MEETING

The next meeting of the LGANT Executive will be held on Monday, 9 September 2019 at 9:00 am in the LGANT Boardroom or by Zoom videoconference.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 9:22 am.

17. LIST OF ACTIONS FROM THE MEETING

ACTIONS	Item No
1. LGANT CEO to circulate Minister's letter and the Royal Commission recommendation 6.12 to council CEOs under the headline "Child Safety Request by the Federal Government" asking for a response in relation to what their councils already do in this area.	6.5

14 INFORMATION AND CORRESPONDENCE

14.2 Correspondence

14.2.1 LGANT Call for Nominations – Minister's Advisory Council on Multicultural Affairs

1. THAT Council receive and note Item 14.2.1 entitled LGANT Call for Nominations – Minister's Advisory Council on Multicultural Affairs.
2. THAT _____ be nominated as a member of the Minister's Advisory Council on Multicultural Affairs.

LOCAL GOVERNMENT ASSOCIATION OF THE NORTHERN
TERRITORY



NOMINATION FORM

MINISTER'S ADVISORY COUNCIL ON MULTICULTURAL AFFAIRS

COUNCIL NAME:

1. Agreement to be nominated

I, _____ agree to be nominated as a
(name in full)

member of the **MINISTER'S ADVISORY COUNCIL ON MULTICULTURAL
AFFAIRS.**

Signature: _____ Date: _____

2. Council Confirmation of Nomination

I, _____ the Chief Executive Officer

hereby confirm that _____

was approved by resolution of Council to be nominated as a member of the
MINISTER'S ADVISORY COUNCIL ON MULTICULTURAL AFFAIRS at a meeting
held on / /2019

Signature: _____ Date: _____

3. Nominee's Contact Details

Email address: _____

Phone No: _____

4. Nominee Information

The following information is required to enable the Executive to make an informed decision. If you want to submit further information please attach it to this form.

4.1 What is your current council position? _____

4.2 How long have you held your current council position? _____

4.3 Please list your educational qualifications:

4.4 What experience do you have that is relevant to this committee?

4.6 Apart from your current position what other experience have you had in local government?

5. You agree to supply the Executive with a report on the committee meetings you attend?

I agree ☐ I Disagree ☐

6. Have you read and agree to the Outside Committee procedures

Yes ☐

15 REPORT OF DELEGATES

16 QUESTIONS BY MEMBERS

17 GENERAL BUSINESS

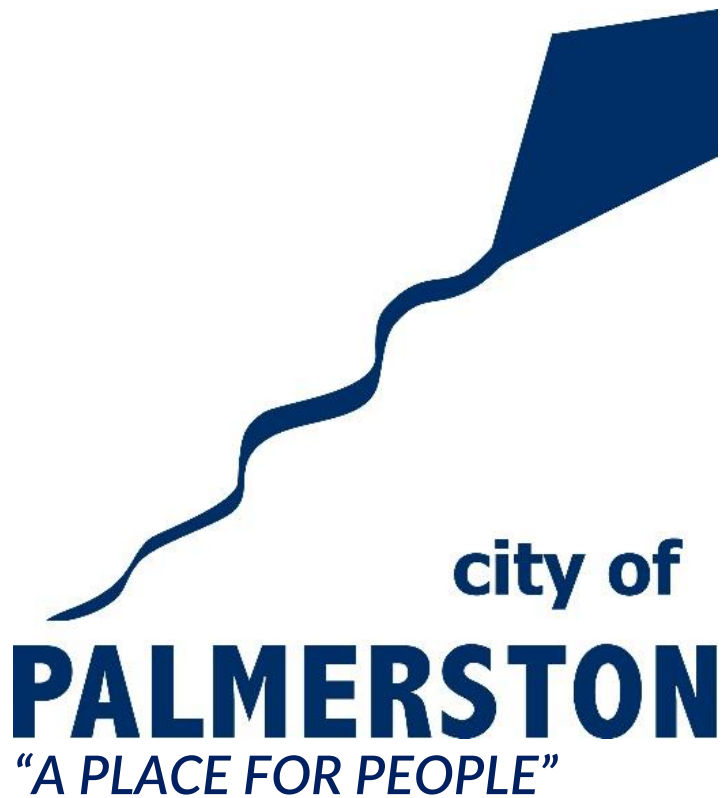
18 NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday 17 September 2019 at 5.30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

19 CLOSURE OF MEETING TO PUBLIC

THAT pursuant to Section 65(2) of the *Local Government Act* and Regulation 8 of the *Local Government (Administration) Regulations*, the meeting be closed to the public to consider the Confidential item of the Agenda.

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON



**COUNCIL MEETING
MINUTES
TUESDAY, 20 AUGUST 2019**

CITY OF PALMERSTON

**Minutes of Council Meeting
held in Council Chambers
Civic Plaza, 1 Chung Wah Terrace, Palmerston
on Tuesday 20 August 2019 at 5:31pm.**

ELECTED MEMBERS

Mayor Athina Pascoe-Bell (Chair)
Deputy Mayor Benjamin Giesecke
Alderman Amber Garden
Alderman Damian Hale
Alderman Sarah Henderson
Alderman Tom Lewis
Alderman Lucy Morrison
Alderman Mick Spick

STAFF

Chief Executive Officer, Luccio Cercarelli
Director City Growth and Operations, Kathy Jarrett
Director Governance and Regulatory Services, Chris Kelly
Acting Director Lifestyle and Community, Amelia Vellar
Executive Manager Finance, Shane Nankivell
Acting Executive Manager Organisational Services, Richard Iap
Communications Officer, Brigitte Brown
Manager Growth and Sustainability, Rebecca de Vries
Acting Manager People, Performance and Change, Mark Armstrong
Minute Secretary, Alexandra Briley

GALLERY

Eva Lawler MLA, Member for Drysdale
Trevor Millar
Kate Ashton, ABC
4 Members of the public

1 ACKNOWLEDGEMENT OF COUNTRY

I respectfully acknowledge the traditional owners of the land on which we are meeting – the Larrakia People – and pay my respects to their elders, past, present and future.

Initials: _____

2 OPENING OF MEETING

The Chair declared the meeting open at 5:31pm.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Nil.

3.2 Leave of Absence Previously Granted

Nil.

3.3 Leave of Absence Request

Moved: Alderman Morrison

Seconded: Alderman Spick

THAT the leave of absence received from Alderman Morrison for 21 September to 6 October 2019 inclusive be received and noted.

CARRIED 9/0771 - 20/08/2019

4 REQUEST FOR TELECONFERENCING

Nil.

5 DECLARATION OF INTEREST

5.1 Elected Members

Nil.

5.2 Staff

Nil.

Initials: _____

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Alderman Morrison
Seconded: Alderman Garden

THAT the Minutes of the Council Meeting held on Tuesday, 6 August 2019 pages 9846 to 9854, be confirmed.

CARRIED 9/0772 – 20/08/2019

6.2 Business Arising from Previous Meeting

Nil.

7 MAYORAL REPORT

Nil.

8 DEPUTATIONS AND PRESENTATIONS

8.1 Book Presentation

Moved: Alderman Henderson
Seconded: Deputy Mayor Giesecke

1. THAT the presentation of the book "South Pole" as a donation to the Palmerston Library by Trevor Millar and presented by Eva Lawler MLA, Member for Drysdale be received and noted.
2. THAT Council thank Trevor Millar for the donation to the Palmerston Library of the book "South Pole".

CARRIED 9/0773 – 20/08/2019

The presentation by Angela O'Donnell of Creative Industries Steering Committee Chamber of Commerce NT has been rescheduled at their request to the First Ordinary Council Meeting on 3 September 2019.

Initials: _____

9 PUBLIC QUESTIONS (WRITTEN SUBMISSIONS)

Nil.

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

10.1.1 Elected Member Coverage

THAT a report be presented to Council regarding existing Elected Member insurance and other coverage whilst on Council business and present any alternative options by the First Ordinary Meeting in September 2019.

CARRIED 9/0769 – 06/08/2019

10.2 Moving Open Items into Confidential

Nil.

10.3 Confidential Items

Nil.

11 PETITIONS

Nil.

12 NOTICES OF MOTION

Nil.

Initials: _____

13 OFFICERS REPORTS

13.1 Receive and Note Reports

13.1.1 Community Benefit Scheme – August 2019 Update 9/0284

Moved: Alderman Garden
Seconded: Deputy Mayor Giesecke

THAT Report Number 9/0284 entitled Community Benefit Scheme – August 2019 Update be received and noted.

CARRIED 9/0774 – 20/08/2019

13.1.2 Palmerston Seniors Advisory Committee July 2019 9/0286

Moved: Alderman Henderson
Seconded: Alderman Garden

THAT Report Number 9/0286 entitled Palmerston Seniors Advisory Committee July 2019 be received and noted.

CARRIED 9/0775 – 20/08/2019

13.1.3 Financial Report for the Month of July 2019 9/0289

Moved: Alderman Morrison
Seconded: Alderman Hale

THAT Report Number 9/0289 entitled Financial Report for the Month of July 2019 be received and noted.

CARRIED 9/0776 – 20/08/2019

13.1.4 Financial Analysis for 2018/2019 Financial Year 9/0292

Moved: Alderman Hale
Seconded: Alderman Lewis

THAT Report Number 9/0292 entitled Financial Analysis for 2018/2019 Financial Year be received and noted.

CARRIED 9/0777 – 20/08/2019

Initials: _____

13.2 Action Reports

13.2.1 Recreation Centre In-Kind Support for Youth Activities in Palmerston 9/0285

Moved: Alderman Henderson

Seconded: Alderman Spick

1. THAT Report Number 9/0285 entitled Recreation Centre In-Kind Support for Youth Activities in Palmerston be received and noted.
2. THAT Council approve continued in-kind support for after school and school holiday youth activities, providing the Palmerston Recreation Centre Stadium including lights and air conditioning at no cost, until 31 October 2020 and that Council will continue to work in collaboration with the Northern Territory Government to support these activities.

CARRIED 9/0778 – 20/08/2019

13.2.2 Constitutional Review 9/0287

Moved: Alderman Morrison

Seconded: Alderman Garden

1. THAT Report Number 9/0287 entitled Constitutional Review be received and noted.
2. THAT in accordance with Regulation 63 of the *Local Government (Electoral) Regulations*, Council delegate, in accordance with section 32(2) of the *Local Government Act*, to the Chief Executive Officer the power to consult with the Electoral Commissioner on Council's proposed outcomes of the Constitutional Review.
3. THAT following consultation with the Electoral Commissioner, a further report be provided to Council with the outcomes of the consultation and any recommended changes.

CARRIED 9/0779 – 20/08/2019

13.2.3 Christmas and Easter Business Arrangements 9/0288

Moved: Alderman Garden

Seconded: Alderman Lewis

1. THAT Report Number 9/0288 entitled Christmas and Easter Business Arrangements be received and noted.

Initials: _____

Minute Book Page 9866
2nd Ordinary Council Meeting

13.2.3 Christmas and Easter Business Arrangements (continued) 9/0288

2. THAT in accordance with Section 58(1) of the *Local Government Act* Council hold one Ordinary Council Meeting in December on the second Tuesday in December commencing at 5.30pm and one Ordinary Council Meeting in January on the third Tuesday in January commencing at 5.30pm for the balance of the term of the 9th Council.
3. THAT Council approves the closure of the Council Depot, Civic Plaza, Recreation Centre and Library from 12.00pm on the final business day before Christmas Day, reopening on the first business day after the New Year's Day public holiday for the balance of the term of the 9th Council.
4. THAT Council approves the closure of the Library on Easter Sunday for the balance of the term of the 9th Council.
5. THAT Council note the Palmerston Swimming and Fitness Centre and Archer Waste Management Facility will maintain normal operating hours and other essential services will continue including waste collection and animal management over these periods.
6. THAT a public notice be provided for the changes to the meeting dates and closure of Council facilities for these periods.

CARRIED 9/0780 – 20/08/2019

13.2.4 Central Palmerston Area Plan Discussion Paper 9/0293

Moved: Alderman Morrison

Seconded: Alderman Hale

1. THAT Report Number 9/0293 entitled Central Palmerston Area Plan Discussion Paper be received and noted.
2. THAT Council endorse **Attachment B** to Report Number 9/0293 entitled Central Palmerston Area Plan Discussion Paper to the Northern Territory Planning Commission, as its response to the Central Palmerston Area Plan Discussion Paper.

CARRIED 9/0781 – 20/08/2019

Initials: _____

13.2.5 Submission on the Local Government Association of the Northern
Territory Policy Statements 9/0294

Moved: Alderman Garden
Seconded: Alderman Henderson

1. THAT Report Number 9/0294 entitled Submission on the Local Government Association of the Northern Territory Policy Statements be received and noted.
2. THAT Council endorse **Attachment B** to Report Number 9/0294 entitled Submission on the Local Government Association of the Northern Territory Policy Statements to be submitted to the Local Government Association of the Northern Territory as Council's submission to the review of Policy Statements.

CARRIED 9/0782 - 20/08/2019

14 INFORMATION AND CORRESPONDENCE

14.1 Information

Nil.

14.2 Correspondence

Nil.

15 REPORT OF DELEGATES

Nil.

16 QUESTIONS BY MEMBERS

Nil.

Initials: _____

17 GENERAL BUSINESS

17.1 Application for Substitution of Liquor Licence

Moved: Alderman Lewis
Seconded: Alderman Henderson

THAT a report be presented to Council regarding the application for substitution of a liquor licence from Gateway Shopping Centre to Fairway Waters Shopping Centre Durack at the First Ordinary Meeting in September 2019.

CARRIED 9/0783 – 20/08/2019

18 NEXT COUNCIL MEETING

Moved: Alderman Garden
Seconded: Alderman Spick

THAT the next Ordinary Meeting of Council be held on Tuesday, 3 September 2019 at 5:30pm in the Council Chambers, First Floor, Civic Plaza, 1 Chung Wah Terrace Palmerston.

CARRIED 9/0784 – 20/08/2019

19 CLOSURE OF MEETING TO PUBLIC

Moved: Alderman Lewis
Seconded: Deputy Mayor Giesecke

THAT pursuant to Section 65(2) of the *Local Government Act* and Regulation 9 of the *Local Government (Administration) Regulations* the meeting be closed to the public to consider the Confidential Items of the Agenda.

CARRIED 9/0785 – 20/08/2019

Initials: _____

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Moved: Alderman Spick
Seconded: Alderman Morrison

THAT the meeting be adjourned for 10 minutes for media liaison.

CARRIED 9/0786 - 20/08/2019

The meeting adjourned at 6:02pm.



Athina Pascoe-Bell
MAYOR

Date:
