

CITY OF PALMERSTON

**Minutes of Council Meeting
held in Council Chambers
Civic Plaza, 1 Chung Wah Terrace, Palmerston
on Tuesday 10 December 2019 at 5:30pm**

ELECTED MEMBERS

Mayor Athina Pascoe-Bell (Chair)
Deputy Mayor Ben Giesecke – *Attended from 7:34pm*
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 Lifestyle and Community, Amelia Vellar
Acting Manager Infrastructure and Maintenance, Alex Douglas
Communications Media and Marketing Lead, Samantha Abdic

GALLERY

Six members of the public
Chief Executive Officer Territory Families, Ken Davies
General Manager Youth Justice Territory Families, Brent Warren
Acting Chief Executive Officer Department Local Government
Housing and Community Development, Jim Bamber
NT Police Commissioner, Jamie Chalker
Superintendent Palmerston Police, Antony Deutrom

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.

2 OPENING OF MEETING

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

Initials: _____

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Moved: Alderman Spick
Seconded: Alderman Hale

THAT the apology received from Deputy Mayor Benjamin Giesecke due to attending Council Business be received and noted.

CARRIED 9/0926 – 10/12/2019

3.2 Leave of Absence Previously Granted

Nil.

3.3 Leave of Absence Request

Moved: Mayor Pascoe-Bell
Seconded: Alderman Hale

1. THAT the leave of absence received from Mayor Pascoe-Bell for 8 January to 15 January 2020 inclusive be received and noted.
2. THAT the leave of absence received from Alderman Morrison from 2:00pm, 22 December 2019 to 5 January 2020 inclusive be received and noted.
3. THAT the leave of absence received from Alderman Morrison from 2:00pm, 15 January to 19 January 2020 inclusive be received and noted.
4. THAT the leave of absence received from Alderman Lewis for 27 December 2019 to 19 January 2020 inclusive be received and noted.
5. THAT the leave of absence received from Alderman Henderson for 25 December 2019 to 5 January 2020 inclusive be received and noted.

CARRIED 9/0927 – 10/12/2019

4 REQUEST FOR TELECONFERENCING

Nil.

Initials: _____

5 DECLARATION OF INTEREST

5.1 Elected Members

Nil.

5.2 Staff

Nil.

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Alderman Spick
Seconded: Alderman Henderson

THAT the minutes of the Council Meeting held on Tuesday, 19 November 2019 pages 9950 to 9960, be confirmed.

CARRIED 9/0928 – 10/12/2019

6.2 Business Arising from Previous Meeting

Nil.

7 MAYORAL REPORT

7.1 Mayoral Update Report - November 2019

M9/016

Moved: Mayor Pascoe-Bell
Seconded: Alderman Garden

THAT Report Number M9/016 entitled Mayoral Update Report - November 2019 be received and noted.

CARRIED 9/0929 – 10/12/2019

Initials: _____

8 DEPUTATIONS AND PRESENTATIONS

8.1 Youth Programs and Activities in Palmerston

Moved: Alderman Garden
Seconded: Alderman Spick

THAT the presentation by Mr Ken Davies, Chief Executive Officer Territory Families, Mr Jim Bamber, Acting Chief Executive Officer Department Local Government, Housing and Community Development and Mr Jamie Chalker, Commissioner NT Police be received and noted.

CARRIED 9/0930 – 10/12/2019

Alderman Henderson left the Council Chambers at 7:25pm
Alderman Henderson entered the Council Chambers at 7:28pm

9 PUBLIC QUESTIONS (WRITTEN SUBMISSIONS)

Nil.

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

10.1.1 Assignment of Lease of Mosko's Market, Part of Lot 9608, Palmerston C9/0320

1. THAT Report Number C9/0320 entitled Assignment of Lease of Mosko's Market, Part of Lot 9608, Palmerston be received and noted.
2. THAT Council approve the assignment of the lease of Mosko's Market, Part of Lot 9608, Palmerston from Melinda Hosking to Mosman Group Pty Ltd for the balance of the current lease term ending 31 July 2020 with a two (2) year option expiring on 31 July 2022, subject to the conditions outlined in Report Number C9/0320 entitled Assignment of Lease of Mosko's Market, Part of Lot 9608, Palmerston.
3. THAT the Council Decisions relating to Report Number C9/0320 entitled Assignment of Lease of Mosko's Market, Part of Lot 9608, Palmerston be moved to the Open Minutes after the successful assignment of the lease to Mosman Group Pty Ltd.

CARRIED 9/0862 – 08/10/2019

Initials: _____

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10.1.2 Lease of Part of Lot 4201, 31 Tilston Avenue, Moulden **C9/0330**

1. THAT Report Number C9/0330 entitled Lease of Part of Lot 4201, 31 Tilston Avenue, Moulden be received and noted.
2. THAT Council continues to support the Youth Drop-In and Crisis Support Centre in the vacant hall spaces tenancy at the Palmerston Swimming and Fitness Centre as outlined in Report Number C9/0330 entitled Lease of Part of Lot 4201, 31 Tilston Avenue, Moulden, agreeing to the staged approach with;
 - Stage one being after-hours activity and Drop-in Centre.
 - Stage two being the crisis accommodation.
 - Being the timing of delivery of Stage two to be reviewed within 12 months of commencement of operations as outlined.
 - The Government ensures that there are appropriate measures in place to address intervention, information, referral and brokerage services for young people accessing the facility and needing crisis accommodation at other services.
3. THAT Council decisions relating to Report Number C9/0330 entitled Lease of Part of Lot 4201, 31 Tilston Avenue, Moulden be moved to the Open Minutes at the time of a related announcement by the Northern Territory Government.

CARRIED 9/0902 – 05/11/2019

10.1.3 Audit Committee Membership **C9/0332**

1. THAT Report Number C9/0332 entitled Audit Committee Membership be received and noted.
2. THAT Council approve the appointment of Mr Blackburn and Mr Bartlett to the Risk Management and Audit Committee.
3. THAT pursuant to Section 32 of the Local Government Act, Council hereby delegates to the Chief Executive Officer the power and authority to finalise and sign all documentation required for the appointment of Mr Blackburn and Mr Bartlett to the Risk Management and Audit Committee in accordance with details outlined in Report Number C9/0332 entitled Audit Committee Membership.
4. THAT the Council Decisions relating to Report Number C9/0332 entitled Audit Committee Membership be moved to the Open Minutes once appointments have been finalised.

CARRIED 9/0904 – 05/11/2019

Initials: _____

10.2 Moving Open Items into Confidential

Nil.

10.3 Confidential Items

Moved: Alderman Spick
Seconded: Alderman Garden

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)(i)	This item is considered 'Confidential' pursuant to <i>Section 65(2)</i> of the <i>Local Government Act</i> and <i>8(c)(i)</i> of the <i>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 cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

CARRIED 9/0931 – 10/12/2019

11 PETITIONS

Nil.

12 NOTICES OF MOTION

Deputy Mayor Giesecke entered the Council Chambers at 7:34pm

12.1 Donation for Australian Bushfire Appeals 2019

Moved: Alderman Garden
Seconded: Alderman Spick

THAT Council make a financial donation of \$1,000 each to Australian Red Cross and The Salvation Army to support communities affected by the recent significant bushfires in Australia.

TIED VOTE | MOTION LOST

The Chair exercised her casting vote and declared the Motion Lost.

Initials: _____

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Alderman Garden called for a division on item 12.1 Donation for Australian Bushfire Appeals 2019 – as a consequence the result of the above decision was set aside.

Upon dividing, four members voted in the affirmative, four members voted in the negative.

Members Voting in the Affirmative

Alderman Garden
Deputy Mayor Giesecke
Alderman Spick
Alderman Hale

Members Voting in the Negative

Mayor Pascoe-Bell
Alderman Henderson
Alderman Morrison
Alderman Lewis

The Chair exercised her casting vote and declared the motion LOST.

13 OFFICERS REPORTS

13.1 Receive and Note Reports

13.1.1 Abandoned Vehicles in Palmerston 9/0356

Moved: Alderman Morrison
Seconded: Alderman Hale

THAT Report Number 9/0356 entitled Abandoned Vehicles in Palmerston be received and noted.

CARRIED 9/0932 – 10/12/2019

13.1.2 *Prójects* – Making the Switch, Update December 2019 9/0338

Moved: Alderman Hale
Seconded: Alderman Morrison

THAT Report Number 9/0338 entitled *Prójects* – Making the Switch, Update December 2019 be received and noted.

CARRIED 9/0933 – 10/12/2019

Initials: _____

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13.1.3 Community Benefit Scheme December 2019 Update 9/0213

Moved: Alderman Garden
Seconded: Alderman Hale

THAT Report Number 9/0213 entitled Community Benefit Scheme December 2019 Update be received and noted.

CARRIED 9/0934 – 10/12/2019

13.1.4 Palmerston Safe Communities Committee November 2019 Minutes 9/0317

Moved: Alderman Hale
Seconded: Alderman Morrison

THAT Report Number 9/0317 entitled Palmerston Safe Communities Committee November 2019 Minutes be received and noted.

CARRIED 9/0935 – 10/12/2019

13.1.5 Financial Report for the Month of November 2019 9/0354

Moved: Alderman Morrison
Seconded: Alderman Garden

THAT Report Number 9/0354 entitled Financial Report for the Month of November 2019 be received and noted.

CARRIED 9/0936 – 10/12/2019

13.2 Action Reports

13.2.1 Pop-Up Dining 2019 Trial Outcomes 9/0329

Moved: Alderman Morrison
Seconded: Alderman Hale

1. THAT Report Number 9/0329 entitled Pop-Up Dining 2019 Trial Outcomes be received and noted.
2. THAT Council continue Pop-Up Dining as outlined in Report Number 9/0329 entitled Pop-Up Dining 2019 Trial Outcomes noting that:
 - (i) The matter is operational, and permits and conditions will be approved by the Chief Executive Officer; and

Initials: _____

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13.2.1 Pop-Up Dining 2019 Trial Outcomes (continued) 9/0329

- (ii) That no Pop-Up Dining approvals outside of events will be granted within the Palmerston City Centre.

CARRIED 9/0937 – 10/12/2019

**13.2.2 Christmas School Holidays Free Pool Entry Trial - Palmerston
Swimming & Fitness Centre 9/0347**

Moved: Alderman Morrison
Seconded: Alderman Henderson

1. THAT Report Number 9/0347 entitled Christmas School Holidays Free Pool Entry Trial - Palmerston Swimming & Fitness Centre be received and noted.
2. THAT Council waive entry fees for all pool users of the Palmerston Swimming & Fitness Centre for the Christmas school holiday period from Friday 13 December 2019 to Monday 27 January 2020 (inclusive of the Australia Day Public Holiday).
3. THAT Council consider the removal of pool entry fees to the Palmerston Swimming & Fitness Centre as part of the 2020/2021 budget deliberations.

CARRIED 9/0938 – 10/12/2019

13.2.3 Palmerston Seniors Advisory Committee Update November 2019 9/0352

Moved: Alderman Henderson
Seconded: Alderman Morrison

1. THAT Report Number 9/0352 entitled Palmerston Seniors Advisory Committee Update November 2019 be received and noted.
2. THAT Council thank Mrs Margaret Lee for her contributions to the Palmerston Seniors Advisory Committee.
3. THAT Council endorse Mrs Sheryl Sephton as a member of the Palmerston Seniors Advisory Committee.

CARRIED 9/0939 – 10/12/2019

Initials: _____

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13.2.4 City Centre Parking Strategy – Update December 2019 **9/0315**

Moved: Alderman Garden
Seconded: Alderman Morrison

1. THAT Report Number 9/0315 entitled City Centre Parking Strategy – Update December 2019 be received and noted.
2. THAT Council approve the creation of a new Full Time Equivalent Ranger position to supplement resourcing for the ongoing management of parking regulations and other regulatory activities.

CARRIED 9/0940 – 10/12/2019

13.2.5 Changes to Road Reserve – Pierssene Road, Yarrawonga **9/0351**

Moved: Alderman Garden
Seconded: Alderman Lewis

1. THAT Report Number 9/0351 entitled Changes to Road Reserve – Pierssene Road, Yarrawonga be received and noted.
2. THAT Council note the change in ownership of Lot 9148 Pierssene Road, Yarrawonga from Bunnings Properties Pty Ltd to The Trust Company (Australia) Limited (ACN 000 000 993) as outlined in Report Number 9/0351 entitled Changes to Road Reserve – Pierssene Road, Yarrawonga.
3. THAT Council reaffirms the sale of the land as per the previous Council decisions noting the change of ownership from Bunnings Properties Pty Ltd to The Trust Company (Australia) Limited (ACN 000 000 993) in its capacity as agent for Bieson Pty Ltd (ACN 110 465 168) as trustee for the LWR Palmerston Trust provided that all other conditions remain unaffected.
4. THAT pursuant to Section 26 (2) of the *Local Government Act*, Council authorises the affixing of the common seal to all documents associated with the offer of Land Transfer and sale of Lot 9148, Pierssene Road, Yarrawonga between the owner or its representatives and City of Palmerston and that this be attested by the signatures of the Mayor and Chief Executive Officer.

CARRIED 9/0941 – 10/12/2019

Initials: _____

13.2.6 Rates Strategy Public Consultation Outcomes

9/0062

Moved: Alderman Garden

Seconded: Alderman Spick

1. THAT Report Number 9/0062 entitled Rates Strategy Public Consultation Outcomes be received and noted.
2. THAT Council retains the current valuation-based (UCV) charge with a differential rating method based on community consultation feedback received.
3. THAT Council prepare a draft Rating Strategy Policy for City of Palmerston based on valuation-based (UCV) charge with a differential rating method and the principles of rating established by the Community Reference Group for presentation to the First Ordinary Meeting in March 2020.

CARRIED 9/0942 – 10/12/2019

**13.2.7 Proposal to Amend Northern Territory Planning Scheme – Sex Services
Businesses**

9/0345

Moved: Alderman Spick

Seconded: Alderman Morrison

1. THAT Report Number 9/0345 entitled Proposal to Amend Northern Territory Planning Scheme – Sex Services Businesses be received and noted.
2. THAT Council endorse the submission to the Northern Territory Planning Commission regarding the proposal to amend the Northern Territory Planning Scheme (PA2019/0332) – Sex Services Businesses being **Attachment B** to Report Number 9/0345 entitled Proposal to Amend Northern Territory Planning Scheme – Sex Services Businesses subject to the inclusion of the following comments:
 - i. That clarity be sought on what occurs when sensitive land use moves into an existing land use / pre-existing use of a Sex Services Business.
 - ii. That the definition be further expanded to ensure that multiple Sex Services Businesses cannot operate within a defined distance of each other including on the same lot containing multiple dwellings so as to avoid clustering.

CARRIED 9/0943 – 10/12/2019

Initials: _____

13.2.8 Mitigation of Inappropriately Disposal of Waste

9/0353

Moved: Alderman Spick

Seconded: Alderman Lewis

1. THAT Report Number 9/0353 entitled Mitigation of Inappropriately Disposal of Waste be received and noted.
2. THAT Council note the strategies being deployed to address waste in our waterways including infrastructure such as traps and basins, the development of a waste education program and the engagement of community groups and volunteers to assist in waste education and litter clean-up days as outlined in Report Number 9/0353 entitled Mitigation of Inappropriately Disposal of Waste.

CARRIED 9/0944 – 10/12/2019

14 INFORMATION AND CORRESPONDENCE

14.1 Information

14.1.1 LGANT Draft General Meeting Minutes – 7 November 2019

Moved: Alderman Lewis

Seconded: Alderman Morrison

THAT Council receive and note Item 14.1.1 entitled LGANT Draft General Meeting Minutes – 7 November 2019.

CARRIED 9/0945 – 10/12/2019

14.1.2 LGANT Draft Annual General Meeting Minutes – 8 November 2019

Moved: Alderman Hale

Seconded: Alderman Garden

THAT Council receive and note Item 14.1.2 entitled LGANT Draft Annual General Meeting Minutes – 8 November 2019.

CARRIED 9/0946 – 10/12/2019

14.2 Correspondence

Nil.

Initials: _____

15 REPORT OF DELEGATES

15.1 NT Human Rights Awards

Moved: Deputy Mayor Giesecke
Seconded: Alderman Garden

THAT the verbal report provided by Deputy Mayor Giesecke advising that Council was the recipient of the NT Human Rights Fitzgerald Award for inclusion and diversity of the community be received and noted.

CARRIED 9/0947 – 10/12/2019

16 QUESTIONS BY MEMBERS

Nil.

17 GENERAL BUSINESS

17.1 Congratulations to Rachel Fosdick

Moved: Alderman Garden
Seconded: Deputy Mayor Giesecke

THAT Council wish to congratulate Rachel Fosdick on winning the 2019 Good Sports Club Champion Award.

CARRIED 9/0948 – 10/12/2019

18 NEXT COUNCIL MEETING

Moved: Alderman Spick
Seconded: Alderman Garden

THAT the next Ordinary Meeting of Council be held on Tuesday, 21 January 2020 at 5:30pm in the Council Chambers, First Floor, Civic Plaza, 1 Chung Wah Terrace Palmerston.

CARRIED 9/0949 – 10/12/2019

Initials: _____

19 CLOSURE OF MEETING TO PUBLIC

Moved: Alderman Spick
Seconded: Alderman Henderson

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 9/0950 – 10/12/2019

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Nil.

The open section of the meeting closed at 8:39pm for the discussion of confidential matters.

The Chair declared the meeting closed at 9:01pm.

Athina Pascoe-Bell
MAYOR

Date:
