

AGENDA

2nd Ordinary Council Meeting

Tuesday 16 March 2021

The Ordinary Meeting of the City of Palmerston will be held in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston, NT 0830 commencing at 5:30 PM.

COVID-19 Statement of Commitment

The Ordinary Meeting of Council will be open to the public and holds a Statement of Commitment to adhere to:

- Physical distancing measures
- Health and hygiene principles



LUCCIO CERCARELLI
CHIEF EXECUTIVE OFFICER

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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 AUDIO/AUDIOVISUAL CONFERENCING

5 DECLARATION OF INTEREST

5.1 Elected Members

5.2 Staff

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

THAT the Minutes of the Council Meeting held on 2 March 2021 pages 10340 to 10354 be confirmed.

6.2 Business Arising from Previous Meeting

7 MAYORAL REPORT

8 DEPUTATIONS AND PRESENTATIONS

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	Confidential Clause
25.2.1	This item is considered 'Confidential' pursuant to Section 65(2) of the <i>Local Government Act</i> and 8(c)(iv) 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 prejudice the interests of the council or some other person is discussed.
26.2.1	This item is considered 'Confidential' pursuant to Section 65(2) of the <i>Local Government Act</i> and 8(e) 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 provided to the council on condition that it be kept confidential

11 PETITIONS

12 NOTICES OF MOTION

13 OFFICER REPORTS

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.1.1
REPORT TITLE:	Community Benefit Scheme Update - February 2021
MEETING DATE:	Tuesday 16 March 2021
AUTHOR:	Community Services Officer, Tess Riches
APPROVER:	Director Lifestyle and Community, Amelia Vellar

COMMUNITY PLAN

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

PURPOSE

This report provides Council with a summary of the Community Benefit Scheme (CBS) 2020/2021 successful applications to date.

KEY MESSAGES

- City of Palmerston provides funding to eligible community groups that offer activities, projects and services to assist Council to deliver on City of Palmerston's vision of "A Place for People".
- The budget for the current financial year for grants, donations, sponsorships, and scholarships under the CBS is \$130,000. Currently \$99,350 has been expended and \$30,650 remains available.
- One successful application for representation support has been processed this month.
- One grant application has been received for consideration by Council at this meeting.
- 12 schools (one school has two campuses) have accepted the \$100 City of Palmerston Community Service Award funding offer, utilising a total of \$1,300 in funding.
- It is likely that the remaining CBS budget will be expended before end of financial year, however, the Environmental Initiatives grants are anticipated to not be fully expended.

RECOMMENDATION

THAT Report entitled Community Benefit Scheme Update - February 2021 be received and noted.

BACKGROUND

City of Palmerston provides funding to eligible community groups which offer activities, projects, and services that assist Council to deliver on its Community Plan outcomes and objectives. Individuals and sporting teams are supported with funding to assist representation at local, interstate and (when allowable) international events and activities. Travel restrictions due to the COVID-19 pandemic have impacted the number of applications for this category of funding. Community Benefit Scheme applications are accepted year-round, and the scheme is promoted at every opportunity, so it is anticipated that applications for representation support and other funding categories will continue to be received. It is likely that the remainder of the CBS budget will be expended before close of financial year.

Council maintains a proactive and positive approach to developing and offering initiatives to benefit the community in response to the ongoing COVID-19 pandemic. Initiatives such as the extension of free

venue hire negate the need for application for in-kind support for that purpose. Acquittals by businesses that were successful with COVID-19 Special Response funding applications are almost complete. One organisation is still to completely acquit their funding.

DISCUSSION

A copy of City of Palmerston approved CBS Applications, February 2021 Update is provided as **Attachment 13.1.1.1**.

One application for representation support from a young resident was received and approved to assist her to compete in a Track and Field competition in Adelaide this month.

Local organisation Riding for the Disabled in the Top End has requested a grant for \$7,600 to assist improvements to their centre. Requests for funds greater than \$2,000 are considered by Council and the application is presented to Council in a report at this meeting. If successful, the available funds will be reduced by up to \$7,600.

Twelve of fifteen Palmerston schools have now accepted the City of Palmerston Community Service Awards funding of \$100 per school, utilising a total of \$1,300 in funding. Schools that have not so far accepted the funding offer may choose to do so before the end of the financial year.

CONSULTATION PROCESS

Council continues to actively promote the CBS, especially the Environmental Initiatives grant component as that has \$18,000 remaining in its budget. Discussions are underway to identify eligible community projects that may be supported with this funding; forthcoming applications will be presented to Council for consideration.

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

- City Sustainability Manager, City Growth and Operations

POLICY IMPLICATIONS

Council Policy *FIN18 Grants, Donations, Scholarships and Sponsorships*.

BUDGET AND RESOURCE IMPLICATIONS

The budget for the 2020-2021 financial year for grants, donations, sponsorships, and scholarships under the CBS is \$130,000. Currently \$99,350 has been expended and \$30,650 remains available. If the application currently before Council for consideration is approved in total, the available funds will be \$23,050.

Continued demand for funding by eligible applicants suggests that the remaining budget will be extended by the end of the financial year.

The budget for the 2021 financial year for Environmental Initiative grants under the CBS is \$20,000. Currently \$2,000 has been expended with \$18,000 remaining to the community for new projects.

Environmental Initiatives grants are anticipated to have a budget remainder by end of financial year; however, officers are working to identify eligible projects and community organisations.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This report addresses the following City of Palmerston Strategic Risks:

1 Fails to effectively regain the trust from all stakeholders

Context: Council needs to be credible and trusted by those within and external to the Council.

Council is responsible for the effective, efficient and transparent distribution of the Community Benefit Scheme budget.

There is a risk that the remaining CBS budget will be expended before the end of the financial year. Officers continue to make recommendations based on eligibility and merit.

Council may wish to consider the future budget allocations for funding community projects and activities.

There is a risk that the remaining Environmental Initiatives budget is not expended fully by end of financial year. Officers are working to further promote this opportunity to eligible organisations with projects currently in planning.

The final remaining business to acquit its COVID-19 Special response grant funding will be contacted again to finalise its obligations.

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

1. City of Palmerston's Approved CBS Applications February 2021 Update [HWH S] [13.1.1.1 - 4 pages]

City of Palmerston Approved Community Benefit Scheme Applications
February 2021 Update
(Correct to 24 February 2021)

Representation Support (Donation)

Date	Activity	Applicant	Amount Requested	Amount Approved
4.11.2020	Evolution Dance Competition National Finals – Gold Coast Qld - 4-10 January 2021	Resident	\$250	\$250
5.11.2020	NT State Team U13 Tennis Championships – Adelaide SA (postponed, date/venue TBA)	Resident	\$250	\$250
27.11.2020	Evolution Dance Competition National Finals – Gold Coast Qld - 4-10 January 2021	Resident	\$250	\$250
17.12.2020	Evolution Dance Competition National Finals – Gold Coast Qld - 4-10 January 2021	Resident	\$250	\$250
15.02.2021	SA Track and Field Championships	Resident	\$250	\$250
Representation Support			\$1,250	\$1,250

Sponsorships, Donations and Grants

Date Received	Activity	Applicant	Amount Requested	Amount Received
3 year Sponsorship	PGA Golf Championships	Cazalys / Palmerston Golf Club (agreement concludes 2020/2021)	\$30,000	\$30,000
3 year Sponsorship	Palmerston & Rural Seniors Fortnight	Palmerston & Litchfield Seniors Committee (agreement concludes 2020/2021)	\$20,000	\$20,000
3 Year Sponsorship	ANZAC Day Services	RSL Palmerston Subbranch	\$10,000	\$10,000
13.02.2020	Open Court Session	Tennis NT (event reinstated after cancelled due to COVID-19)	\$2,000	\$2,000
16.07.2020	Tiwi Fishing Program 3 year Sponsorship	Reeling Veterans Inc.	\$10,000	\$10,000
18.09.2020	Autism NT Luncheon 2020	Autism NT	\$2,000	\$2,000
7.09.2020	2020-21 Season	Palmerston Magpies Football Club	\$5,000	\$5,000
12.10.2020	PRFC wet and FNT seasons 2021	Palmerston Rovers Football Club	\$5,000	\$5,000
16.11.2020	Sponsorship 2021	Palmerston Netball Association Inc	\$8,000	\$5,000
15.11.2020	Prayer Garden	Good Shepherd Lutheran School	\$5,000	\$5,000
08.01.2020	Walking Off the War Within WALK 1 May 2021	Walking Off the War Within (event reinstated after cancelled due to COVID-19)	\$2,000	\$1,000
25.11.2020	Sponsorship - Shirts	Palmerston Scouts Group	\$1,800	\$1,800
Sponsorships, Donations and Grants			\$100,800	\$96,800

In-Kind Support (Non-Venue Hire)

Date Received	Activity	Applicant	Amount Requested	Amount Received
In-Kind Support			nil	nil

Scholarships

Date Received	Applicant	Amount Requested	Amount Received
Scholarships		nil	nil

Annual School Awards

Date Received	School	Amount Requested	Amount Received
27.08.2020	Forrest Parade School	\$100	\$100
27.08.2020	Good Shepherd Lutheran College Palmerston Campus	\$100	\$100
27.08.2020	Rosebery Primary School	\$100	\$100
31.08.2020	Woodroffe Primary School	\$100	\$100
13.10.2020	Palmerston Christian School	\$100	\$100
15.10.2020	MacKillop Catholic College	\$100	\$100
15.10.2020	Palmerston college (two campuses)	\$200	\$200
15.10.2020	Gray Primary School	\$100	\$100
23.10.2020	Driver Primary School	\$100	\$100

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23.10.2020	Sacred Heart Primary School	\$100	\$100
7.12.2020	Bakewell Primary School	\$100	\$100
20.10.2020	Moulden Park School	\$100	\$100
City of Palmerston Community Service Award		\$1,300	\$1,300

Community Benefit Scheme 2020/2021

	Budget	YTD	Balance
Grants/Donations/Sponsorships/Scholarships Paid	\$130,000	\$99,350	\$30,650

Environmental Initiatives Grants

Date Received	Activity	Applicant	Amount Requested	Amount Received
25.09.2020	Green Fire Break Trial	Friends of Mitchell Creek Catchment Group	\$2,000	\$2,000
Environmental Initiatives Grant			\$2,000	\$2,000

Community Benefit Scheme 2020/2021 - Environmental Initiatives Grants

	Budget	YTD	Balance
Grants/Donations/Sponsorships/Scholarships Paid	\$20,000	\$2,000	\$18,000

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.1.2
REPORT TITLE:	Financial Report for the Month of February 2021
MEETING DATE:	Tuesday 16 March 2021
AUTHOR:	Manager Finance, Maxie Smith
APPROVER:	Director Organisational Services, Silke Maynard

COMMUNITY PLAN

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

PURPOSE

The purpose of the report is to present to Council the Financial Report for the month of February 2021.

KEY MESSAGES

- Operating income and expenditure are in-line with expectations and cashflows overall.
- Year to date operational cost for the Civic Centre are close to budget due to a car accident, these are recoverable through insurance and will be revised in the Third Budget Review 2020/21.
- Capital expenditure is showing as 37% of budget for the year inclusive of commitments. This is marginally lower compared to the previous month due to an increase in budget occurring at the Second Budget Review 2020/21, year to date spent has increased by \$418k in the month of February.
- 76% of payments made in February 2021 were made to local suppliers, with Council continuing to apply the shortened payment term of 14 days to support businesses through the impacts of the COVID-19 pandemic.
- The Revised Budget includes Second Budget Review 2020/21 as approved by Council in February 2021.

RECOMMENDATION

THAT Report entitled Financial Report for the Month of February 2021 be received and noted.

BACKGROUND

In accordance with Section 18 of the *Local Government (Accounting) Regulations* the proceeding month's financial report must be presented to Council. The commentary below and **Attachment 13.1.2.1** present the financial position of Council at the end of February 2021.

DISCUSSION

Operating Income

- Total operating income is at 93% of the revised budget.
- Subdivisional Works income is currently tracking higher than anticipated due to new developments coming online within the Palmerston region, and will be revised in the Third Budget Review 2020/21.
- All other operating income items are tracking as expected at this point in the financial year.

Operating Expenditure

- Total operating expenditure is at 64% of the budget inclusive of commitments.
- Emergency Operations is 16% above budget due to COVID-19 cleaning services. This will be revised in the Third Budget Review 2020/21.
- Director City Growth & Operations is 11% above budget due to staff costs. This will be revised in the Third Budget Review 2020/21.
- Subdivisional Works is 25% above budget due to land search cost. This will be revised in the Third Budget Review 2020/21.
- Year to date operational cost for the Civic Centre are close to budget due to a car accident, these are recoverable through insurance and will be revised in the Third Budget Review 2020/21.
- All other operating expenditure lines are in-line with expectations.

Capital Income

- Capital income is at 32% of the current budget. This is showing as marginally lower percentage compared to the previous month due to an increase in budgeted income approved through the Second Budget Review 2020/21.
- Financial Services income is showing as over budget by \$66,639 due to the recent sale of surplus and replaced fleet vehicles. This will be adjusted in the Third Budget Review 2020/21.
- Budgeted capital grant income for this financial year, includes:
 - Gray Community Hall Redevelopment;
 - Local Roads and Community Infrastructure (LRCI) Phase One:
 - Reggie Park Open Space Upgrade;
 - Accessible for All Play Equipment;
 - Landscaping and Shade Palmerston Swimming and Fitness Centre;
 - Maurice Terrace Off-Leash Dog Park;
 - LRCI Phase Two:
 - Joan Fejo Park and Marlow Lagoon Exeloos;
 - Temple Terrace Road Reconstruction;
 - Joan Fejo Park Shade Structure;
 - Dog Pound Renewal;
 - Smart Technology Project; and
 - SCALE.
- The SCALE grant funding of \$743,700 has been recognised as income in January 2021 with the obligations under the grant being delivered (in line with the requirements of AASB1058).

Capital Expenditure

- Capital Expenditure is at 37% for the year including commitments raised. This is showing as marginally lower percentage than the previous month, however, this is a direct result of an increase to budget of more than \$2 million dollars in the Second Budget Review 2020/21.
- Capital Expenditure commitments increased by \$418k during the month of February 2021 and included projects such as the award of the vandalised playgrounds tender and Maurice Terrace dog park works.
- Several major projects are due to commence in the next quarter, including the \$1 million reseal program, and the \$1.455 million Gray Hall Redevelopment as well as playground refurbishments and works at Marlow Lagoon including the Dog Park.
- SCALE projects continue to progress, noting all grant funds have been spent and acquitted, and Council is finalising works with own funding contribution.
- LRCI projects are underway from both the phase one and phase two grant rounds, with a significant portion of this work to be undertaken in the fourth quarter of this budget year.

- Commitments raised against the Aquatic Centre relate to the SWELL project and the budget adjustment will be made in the Third Budget Review 2020/21.

Loans

Council approved an internal loan for \$3.65 million to fund Making the Switch and an external loan for \$1.96 million to fund the final stage of remediation works at the previous Archer Landfill site.

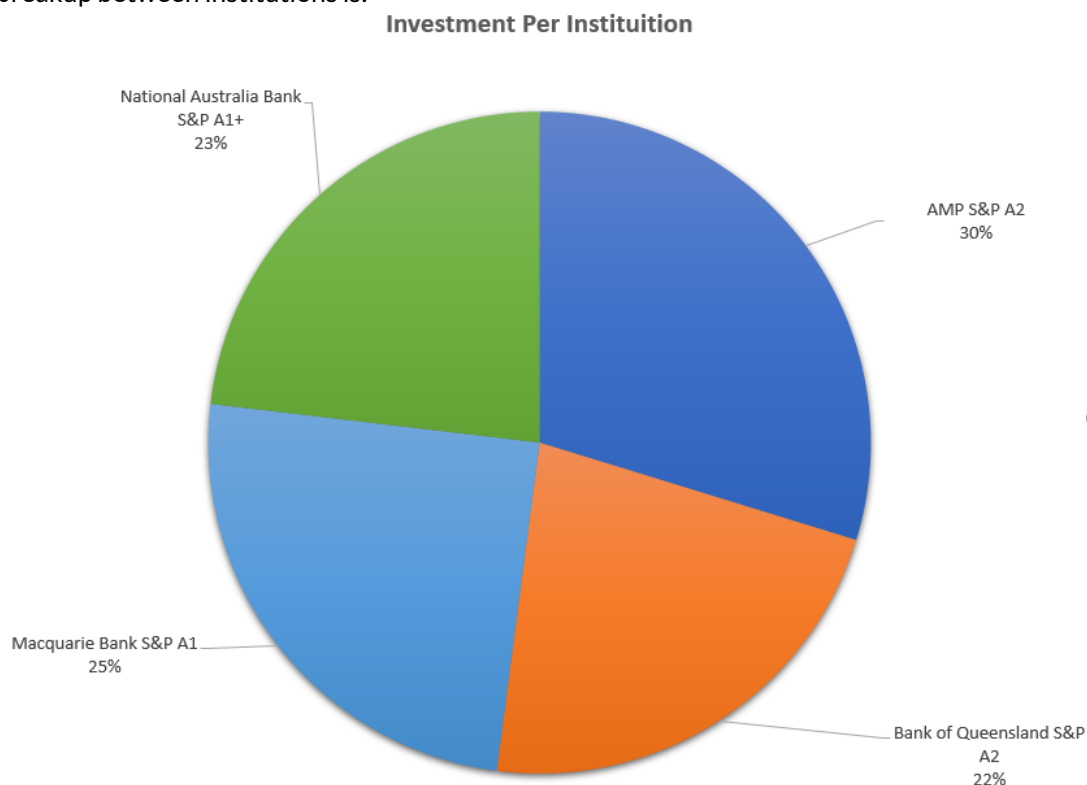
The internal loan for Making the Switch has been drawn upon, with the corresponding figures shown in **Attachment 13.1.2.1**, Section 2.10 - Council Loans. Total project costs for Making the Switch, exclusive of employee costs for the public lighting officer and interest incurred is \$3,223,849. Interest accrued to date is \$105,021 and Council commenced repayments in the 2019/20 budget year with an instalment of \$200,000 processed in conjunction with the Second Budget Review 2019/20. As energy savings from the project are realised, a portion will be allocated to the repayment of the loan, with the remainder allocated to improving the public lighting network as previously approved.

The loan for Archer Landfill Rehabilitation of \$1.96 million was drawn upon on 28 June 2019. The principal repayments for this loan commenced in November 2019 and will occur quarterly. The current outstanding balance on this loan is \$1,625,692. Details of the loan are provided in **Attachment 13.1.2.1**, Section 2.10 - Council Loans.

Investments

As of 28 February 2021, Council held a total of \$20.165 million in term deposits across four separate financial institutions. The investment portfolio is compliant with Council Policy *FIN06 Investments*.

The breakup between institutions is:



Outstanding Rates

Section 2.4 – Debtor Control Accounts, as presented as **Attachment 13.1.2.1**, reflects the number of properties overdue per year as well as the cumulative overdue amounts. Rates that remain overdue for more than three years attract an overriding statutory charge which gives Council priority over all other registered and unregistered mortgages, charges, and encumbrances except a previously registered overriding statutory charge. Council currently holds overriding statutory charges over all properties with overdue debt rated prior to 2017/2018. Council's overdue rates are currently worth \$1.95 million or 6.73% of total rates levied for the 2020/21 financial year.

Council continues to support ratepayers affected by COVID-19 through rate relief measures. This financial year eight commercial rates concessions have been approved under Council's *FIN17a Public Benefit Concession Policy for Commercial Ratepayers*.

Waste Charges

The purpose of Section 2.8 - Waste Charges in **Attachment 13.1.2.1**, is to provide an indicative overview of Council's progress against its budgeted Waste Reserve movement.

CONSULTATION PROCESS

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

POLICY IMPLICATIONS

Investments are compliant with Council Policy *FIN06 Investments*.

BUDGET AND RESOURCE IMPLICATIONS

Budget or resource implications are reflected in the body of the report.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This report addresses the following City of Palmerston Strategic Risks:

2. Be sustainable into the long-term
Context: Optimising the financial, social, and environmental sustainability of the Council.

The *Local Government (Accounting) Regulations - Part 8*, prescribes that:

Financial Reports to Council

1. The CEO must, in each month, lay before a meeting of the Council a report, in a form approved by the Council. Setting out:
 - a. The actual income and expenditure of the Council for the period from the commencement of the financial year up to the end of the previous month.
 - b. The forecast income and expenditure for the whole of the financial year.
2. The report must include:
 - a. Details of all cash investments held by the Council (including any money held in trust).
 - b. A statement of the debts owed to the Council including aggregate amount owed under each category with a general indication of the age of the debts.
 - c. Other information required by the Council.

With the monthly finance report being laid before Council, Council is adhering to legislative requirements and ensure ongoing monitoring of financial sustainability.

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

1. Financial Management Reports February 2021 [**13.1.2.1** - 19 pages]

Financial Management Reports

February 2021

- ❖ 1. Executive Summary
- ❖ 2. Financial Results

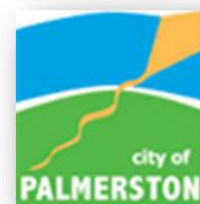


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	2.4	Debtor Control Accounts
	2.5	Financial Indicators
	2.6	Creditor Accounts Paid
	2.7	Creditor Accounts Outstanding
	2.8	Waste Charges
	2.9	Commercial Leases
	2.10	Council Loans

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Section 2 Financial Results

1.1 - Executive Summary as at % of year passed

28 February 2021
67%

	Revised Budget \$	YTD Actual \$	% Utilised Actuals	YTD Committed \$	% Utilised Committed	Budget Forecast \$
Operating Income						
Rates & Annual Charges	28,910,274	27,902,310	97%	0	0%	28,910,274
Statutory Charges	168,940	84,177	50%	0	0%	168,940
User Charges & Fees	659,823	577,880	88%	0	0%	659,823
Interest & Investment Revenue	993,160	510,232	51%	0	0%	993,160
Reimbursements	125	125	100%	0	0%	125
Other Income	375,729	237,384	63%	0	0%	375,729
Grants, Subsidies & Contributions	2,019,921	1,485,978	74%	0	0%	2,019,921
Operating Income	33,127,972	30,798,086	93%	0	0%	33,127,972
Operating Expenditure						
Employee Costs	-10,314,389	-6,487,771	63%	-15,743	0%	-10,314,389
Professional Services	-1,901,131	-1,094,411	58%	-233,479	12%	-1,901,131
Auditor's Remuneration	-35,000	-7,229	21%	0	0%	-35,000
Operating Lease Rentals	-27,423	-11,810	43%	-11,067	40%	-27,423
Energy	-1,255,557	-791,955	63%	0	0%	-1,255,557
Materials & Contractors	-10,674,950	-5,241,268	49%	-1,339,725	13%	-10,674,950
Depreciation, Amortisation & Impairment	-10,400,000	-6,066,669	58%	0	0%	-10,400,000
Elected Members Expenses	-356,558	-192,145	54%	0	0%	-356,558
Legal Expenses	-299,906	-266,011	89%	-10,235	3%	-299,906
Water Charges	-1,333,095	-977,213	73%	0	0%	-1,333,095
Telephone & Other Communication Charges	-265,474	-237,815	90%	-29,936	11%	-265,474
Community Grants	-150,000	-100,841	67%	0	0%	-150,000
Other Expenses	-3,635,503	-2,431,740	67%	-296,674	8%	-3,635,503
Borrowing Costs	-46,000	-24,527	53%	0	0%	-46,000
Operating Expenditure	-40,694,985	-23,931,405	59%	-1,936,860	5%	-40,694,985
OPERATING SURPLUS/(DEFICIT)	-7,567,013	6,866,681		-1,936,860		-7,567,013
Capital Income			0%			
Net gain (loss) on disposal or revaluation of assets	60,856	127,495	210%	0	0%	60,856
Developer Contributions	219,194	219,194	100%	0	0%	219,194
Asset Income	0	0	0%	0	0%	0
Grants received	4,575,679	1,186,244	26%	0	0%	4,575,679
Capital Income	4,855,729	1,532,933	32%	0	0%	4,855,729
Net SURPLUS / (DEFICIT) transferred to Equity Statement	-2,711,284	8,399,614		-1,936,860		-2,711,284
Capital Expenditure						
Land Purchase	0	0	0%	0	0%	0
Asset Purchase	-4,447,396	-1,983,875	45%	-979,648	22%	-4,447,396
Asset Upgrade	-9,480,601	-1,676,774	18%	-515,728	5%	-9,480,601
Capital Expenditure	-13,927,997	-3,660,648	26%	-1,495,376	11%	-13,927,997
Less Non-Cash Expenditure	-10,400,000	-6,066,669	58%	0	0%	-10,400,000
Plus Gifted Assets	0	0	0%	0	0%	0
NET CAPITAL SURPLUS/(DEFICIT)	-6,239,281	10,805,635		-3,432,236		-6,239,281
Borrowings	0	0	0%	0	0%	0
Repayment of Borrowings	-228,223	-112,660	49%	0	0%	-228,223
Reserve Movement	6,467,504	0	0%	0	0%	6,467,504
NET OPERATING SURPLUS/(DEFICIT)	0	10,692,975		-3,432,236		0


Approved by: Manager Finance

Section 2
Financial Results

2.1 - Budget Summary Report as at

28 February 2021

% of year passed
Cashflowed Estimate of Budget YTD

67%
97%

Operating Income

	Revised Budget \$	YTD Actuals \$	%
Governance			
Office of the CEO	559,605	466,990	83%
Office of the Chief Executive	559,605	466,990	83%
Organisational Services			
Director Organisational Services	50,012	46,225	92%
Financial Services	533,105	206,128	39%
Rates	22,131,884	21,052,713	95%
Organisational Services	22,715,001	21,305,065	94%
Events Promotion	61,000	23,000	38%
Health and Wellbeing Services	3,390	3,390	100%
Library Services	933,523	790,124	85%
Senior Citizens	2,000	2,000	100%
Youth Services	355,067	55,067	16%
Animal Management	356,702	300,485	84%
Parking & Other Ranger Services	149,440	57,326	38%
Lifestyle & Community Services	1,861,122	1,231,391	66%
City Growth & Operations			
Civic Centre	104,999	93,333	89%
Driver Resource Centre	3,818	3,818	100%
Director City Growth & Operations	1,553	1,553	100%
Private Works	24,750	22,430	91%
Recreation Centre	0	164	0.00%
Roads & Transport	441,615	339,431	77%
Subdivisional Works	62,174	63,524	102%
Waste Management	6,900,590	6,929,181	100%
Odegaard Drive Investment Property	446,160	334,620	75%
Durack Heights Community Centre	6,558	6,558	100%
CBD Car Parking	27	27	100%
City Growth & Operations	7,992,244	7,794,639	98%
	33,127,972	30,798,086	93%

Section 2 Financial Results

2.1 - Budget Summary Report as at

28 February 2021

% of year passed
Cashflowed Estimate of Budget YTD

67%
2%

Capital Income

	Revised Budget \$	YTD Actuals \$	%
Governance			
Office of the CEO	2,965,089	1,095,144	37%
Office of the Chief Executive	2,965,089	1,095,144	37%
Organisational Services			
Financial Services	60,856	127,495	210%
Organisational Services	60,856	127,495	210%
City Growth & Operations			
Director City Growth & Operations	930,590	91,100	10%
Roads & Transport	680,000	0	0%
Subdivisional Works	219,194	219,194	100%
City Growth & Operations	1,829,784	310,294	17%
	4,855,729	1,532,933	32%

COUNCIL AGENDA

Attachment 13.1.2.1

Section 2 Financial Results

2.1 - Budget Summary Report as at

28 February 2021

% of year passed
Cashflowed Estimate of Budget YTD

67%
76%

Operating Expenditure

	Revised Budget \$	YTD Actuals \$	% Utilised Actuals	Commitment \$	% Utilised Committed	Total YTD Actuals + Commitments \$
Governance						
Elected Members	-397,755	-204,198	51%	-350	0%	-204,548
Office of the CEO	-1,385,715	-893,505	64%	-10,891	1%	-904,396
Office of the Chief Executive	-1,783,470	-1,097,703	62%	-11,241	1%	-1,108,944
Organisational Services						
Customer Services	-315,294	-207,106	66%	-1,059	0%	-208,166
Human Resources	-849,018	-733,493	86%	-44,469	5%	-777,962
Information Technology	-1,120,949	-909,825	81%	-92,874	8%	-1,002,699
Director Organisational Services	-453,494	-325,271	72%	-12,816	3%	-338,086
Records Management	-257,074	-150,654	59%	-11,067	4%	-161,722
Financial Services	-12,724,303	-7,472,313	59%	-978	0%	-7,473,291
Rates	-369,900	-279,793	76%	-2,938	1%	-282,731
Organisational Services	-16,090,031	-10,078,455	63%	-166,201	1%	-10,244,656
Lifestyle & Community Services						
Arts & Culture	-108,183	-63,239	58%	-3,373	3%	-66,613
Community Development	-879,980	-558,168	63%	-304	0%	-558,472
Diversity and Inclusion Activities	-1,000	0	0%	0	0%	0
Events Promotion	-415,000	-233,815	56%	-52,819	13%	-286,633
Families & Children	-27,000	-20,711	77%	0	0%	-20,711
Health and Wellbeing Services	-56,530	-21,852	39%	-5,978	11%	-27,831
Library Services	-1,863,701	-1,120,590	60%	-81,396	4%	-1,201,986
Senior Citizens	-7,000	-6,051	86%	0	0%	-6,051
Youth Services	-252,348	-52,450	21%	-104,485	41%	-156,936
Director Lifestyle & Community	-523,401	-293,569	56%	-4,430	1%	-297,999
Safe Communities	-70,797	-30,403	43%	-8,537	12%	-38,941
Public Relations and Communications	-639,759	-315,219	49%	-24,989	4%	-340,208
Animal Management	-180,852	-100,858	56%	-43,879	24%	-144,737
Parking & Other Ranger Services	-892,353	-577,167	65%	-2,317	0%	-579,484
Lifestyle & Community Services	-5,917,904	-3,394,093	57%	-332,508	6%	-3,726,601
City Growth & Operations						
Aquatic Centre	-767,796	-436,832	57%	-16,907	2%	-453,739
Archer Sports Club	-256	-138	54%	0	0%	-138
Civic Centre	-399,563	-239,314	60%	-117,253	29%	-356,567
Depot	-73,646	-51,070	69%	-6,381	9%	-57,451
Driver Resource Centre	-17,921	-11,298	63%	-4,380	24%	-15,678
Emergency Operations	-33,000	-33,355	101%	-5,071	15%	-38,425
Gray Community Hall	-31,618	-13,152	42%	-1,760	6%	-14,912
Director City Growth & Operations	-586,162	-565,986	97%	-37,445	6%	-603,432
Open Space	-4,661,070	-2,686,364	58%	-589,714	13%	-3,276,078
Private Works	-91,373	-58,632	64%	0	0%	-58,632
Recreation Centre	-248,763	-128,093	51%	-51,583	21%	-179,676
Roads & Transport	-2,220,675	-1,074,256	48%	-251,241	11%	-1,325,497
Stormwater Infrastructure	-234,350	-133,125	57%	-52,835	23%	-185,960
Street Lighting	-770,000	-504,986	66%	-6,053	1%	-511,039
Subdivisional Works	-112	-140	125%	0	0%	-140
Waste Management	-6,417,545	-3,230,380	50%	-257,601	4%	-3,487,981
Odegaard Drive Investment Property	-137,232	-91,269	67%	-660	0%	-91,929
Durack Heights Community Centre	-22,689	-8,879	39%	-4,298	19%	-13,177
CBD Car Parking	-126,809	-64,662	51%	-6,150	5%	-70,812
Goyder Square	-63,000	-29,223	46%	-973	2%	-30,196
City Growth & Operations	-16,903,581	-9,361,154	55%	-1,410,304	8%	-10,771,458
	-40,694,985	-23,931,405	59%	-1,920,254	5%	-25,851,658

COUNCIL AGENDA Attachment 13.1.2.1

Section 2 Financial Results

2.1 - Budget Summary Report as at

28 February 2021

% of year passed
Cashflowed Estimate of Budget YTD

67%
40%

Capital Expenditure

	Revised Budget \$	YTD Actuals \$	% Utilised Actuals	Commitment \$	% Utilised Committed	Total YTD Actuals + Commitments \$
Organisational Services						
Information Technology	-1,910,337	-94,659	5%	-69,800	4%	-164,459
Director Organisational Services	0	0	0.00%	-37,806	0.00%	-37,806
Financial Services	-713,415	-183,255	26%	0	0%	-183,255
Organisational Services	-2,623,753	-277,914	11%	-107,606	4%	-385,519
Arts & Culture	-65,000	0	0%	0	0%	0
Library Services	-680,000	-235,109	35%	-147,264	22%	-382,374
Director Lifestyle & Community	-80,000	-17,500	22%	-16,000	20%	-33,500
Lifestyle & Community Services	-825,000	-252,609	31%	-163,264	20%	-415,874
City Growth & Operations						
Aquatic Centre	-301,273	-568,162	189%	-35,613	12%	-603,775
Civic Centre	-55,000	-2,220	4%	-8,795	16%	-11,015
Depot	-382,030	-6,289	2%	0	0%	-6,289
Driver Resource Centre	-20,000	0	0%	0	0%	0
Gray Community Hall	-1,505,000	-111,322	7%	-92,047	6%	-203,369
Director City Growth & Operations	-752,629	-189,670	25%	-381,214	51%	-570,884
Open Space	-3,355,280	-916,827	27%	-442,129	13%	-1,358,956
Recreation Centre	-460,393	-171,089	37%	-30,359	7%	-201,448
Roads & Transport	-2,228,721	-264,222	12%	-170,223	8%	-434,444
Stormwater Infrastructure	-150,000	-40,412	27%	0	0%	-40,412
Street Lighting	-651,963	-650,551	100%	-4,905	1%	-655,456
Subdivisional Works	-275,620	-143,568	52%	-20,948	8%	-164,516
Waste Management	-276,335	-65,793	24%	-30,734	11%	-96,527
Durack Heights Community Centre	-65,000	0	0%	-6,500	10%	-6,500
City Growth & Operations	-10,479,244	-3,130,125	30%	-1,223,466	12%	-4,353,591
	-13,927,997	-3,660,648	26%	-1,494,336	11%	-5,154,984

COUNCIL AGENDA Attachment 13.1.2.1

Section 2 Financial Results 2.2 Reserves Schedule

	Balance as at 1/07/2020	Original Budget \$	Carry Forwards & Rollovers \$	Budget Reviews 1st Review \$	2nd Review \$	Adopted Budget \$	Original Budget \$	Carry Forwards & Rollovers \$	Budget Review 1st Review \$	2nd Review \$	Adopted Budget \$	Balance as at 30/06/2021
Externally Restricted Reserves												
Unexpended Grants Reserve	456,846	300,000	0	250,000	0	550,000	250,000	0	42,708	3,445	296,153	710,693
	456,846	300,000	0	250,000	0	550,000	250,000	0	42,708	3,445	296,153	710,693
Internally Restricted Reserves												
Election Expenses Reserve	150,000	0	0	0	0	0	0	0	0	0	0	150,000
Disaster Recovery Reserve	500,000	0	0	0	0	0	0	0	0	0	0	500,000
Unexpended Capital Works Reserve	2,597,173	0	0	0	0	0	0	1,400,050	1,197,123	0	2,597,173	0
Developer Funds In Lieu Of Construction	1,786,459	162,730	0	0	203,787	366,517	516,000	0	2,213	0	518,213	1,634,763
Waste Management Reserve	2,142,278	68,020	0	8,821	0	76,841	190,000	0	144,400	0	334,400	1,884,719
Asset Renewal Reserve	0	0	0	0	0	0	0	0	0	0	0	0
Major Initiatives Reserve	614,949	0	0	0	0	0	0	0	0	0	0	614,949
	7,790,859	230,750	0	8,821	203,787	443,358	706,000	1,400,050	1,343,736	0	3,449,786	4,784,431
Unrestricted Reserves												
Working Capital Reserve	9,546,226	0	0	0	0	0	997,179	0	1,547,245	1,170,500	3,714,924	5,831,302
	9,546,226	0	0	0	0	0	997,179	0	1,547,245	1,170,500	3,714,924	5,831,302
Total Reserve Funds*	17,793,931	530,750	0	258,821	203,787	993,358	1,953,179	1,400,050	2,933,688	1,173,945	7,460,862	11,326,427


Approved by: Manager Finance

COUNCIL AGENDA

Attachment 13.1.2.1

Section 2 Financial Results

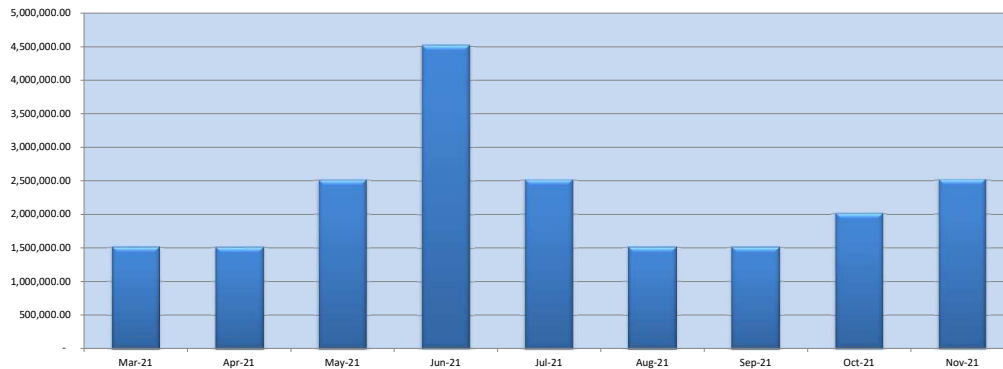
2.3 Investments Management Report

INVESTMENTS REPORT TO COUNCIL AS AT 28/02/2021

COUNTERPARTY	RATING	AMOUNT	INTEREST RATE	MATURITY DATE	DAYS TO MATURITY	INSTITUTION TOTALS	%COUNTER PARTY
People's Choice Credit Union	S&P A2	\$ 6.79	0.00%			\$ 6.79	0.00%
AMP	S&P A2	\$ 1,500,000.00	0.80%	April 21, 2021	52		
AMP	S&P A2	\$ 1,500,000.00	0.80%	June 30, 2021	122		
AMP	S&P A2	\$ 1,500,000.00	0.70%	September 22, 2021	206		
AMP	S&P A2	\$ 1,500,000.00	0.75%	November 3, 2021	248	\$ 6,000,000.00	29.75%
Bank of Queensland	S&P A2	\$ 1,500,000.00	0.60%	May 5, 2021	66		
Bank of Queensland	S&P A2	\$ 1,500,000.00	0.65%	July 28, 2021	150		
Bank of Queensland	S&P A2	\$ 1,500,000.00	0.65%	August 25, 2021	178	\$ 4,500,000.00	22.32%
Macquarie Bank Limited	S&P A1	\$ 1,000,000.00	0.50%	May 19, 2021	80		
Macquarie Bank Limited	S&P A1	\$ 1,000,000.00	0.65%	July 14, 2021	136		
Macquarie Bank Limited	S&P A1	\$ 1,000,000.00	0.70%	October 6, 2021	220		
Macquarie Bank Limited	S&P A1	\$ 1,000,000.00	0.70%	October 20, 2021	234		
Macquarie Bank Limited	S&P A1	\$ 1,000,000.00	0.50%	November 17, 2021	262	\$ 5,000,000.00	24.80%
National Australia Bank	S&P A1+	\$ 7,659.46	0.31%				
National Australia Bank	S&P A1+	\$ 157,309.92	0.31%				
National Australia Bank	S&P A1+	\$ 1,500,000.00	1.00%	March 10, 2021	10		
National Australia Bank	S&P A1+	\$ 1,500,000.00	0.75%	June 2, 2021	94		
National Australia Bank	S&P A1+	\$ 1,500,000.00	0.60%	June 16, 2021	108	\$ 4,664,969.38	23.13%
TOTAL SHORT TERM INVESTMENT		\$ 20,164,976.17	Average Days to Maturity		144		
% OF TOTAL INVESTMENT PORTFOLIO	A1 (max 100%)	47.5%	A2/P2 (max 60%)	52.5%	A3 (max 40%)	0%	100%
Weighted Average Rate		0.62%	BBSW 90 Day Rate Benchmark		0.03%		

GENERAL BANK FUNDS	\$ 9,225,414.05	Total Budget Investment Earnings	-\$ 400,000.00
TOTAL ALL FUNDS	\$ 29,390,390.22	Year to Date Investment Earnings	-\$ 117,298.75

Cashflow of Investments



PROPERTY INVESTMENT

PROPERTY ADDRESS	VALUATION BASIS	VALUE	INCOME YTD	EXPENSE YTD	NET PROFIT YTD	COMPARATIVE YTD YIELD AT CASH RATE OF 3%
48 Odegaard Drive, Rosebery	Fair Value	\$ 5,200,000	-\$ 334,620	\$ 91,269	-\$ 425,889	103.858

Approved by: Manager Finance

Section 2
Financial Results
28 February 2021

2.4 Debtor Control Accounts

SUNDRY DEBTORS:								
	BALANCE	CURRENT	30 DAYS	60 DAYS	90 DAYS	OVER 90 DAYS		
	106,254.40	49,767.91	42,467.95	137.95	-	13,880.59		
RATES:								
REPORT MONTH	OVERDUE \$	Payments Received in Advance \$	OVERDUE % OF RATES INCOME					
Feb-21	\$1,951,323	\$544,862	6.73%					
Feb-20	\$1,609,049		5.60%					
TOTAL OVERDUE BY YEAR AND NUMBER OF PROPERTIES								
Year	Charged in 2020/2021	Charged in 2019/2020	Charged in 2018/2019	Charged in 2017/2018	Charged in 2016/2017	Charged in 2015/2016	Charged in 2014/2015	Charged in 2013/2014
Overdue Amount	\$1,247,092	\$380,761	\$199,611	\$75,226	\$35,043	\$11,887	\$1,413	\$291
Cumulative Number Of Properties	2082	342	146	57	32	13	5	1
INFRINGEMENTS:		\$						
Animal Infringements		143,827.83						
Public Places		10,056.00						
Parking Infringements		148,089.64						
Litter Infringements		875.00						
Signs		0.00						
Other Law and Order		0.00						
Net Balance on Infringement Debts		<u>302,848.47</u>						


Approved by: Manager Finance

Section 2

Financial Results

2.5 - Financial Indicators

	Target	2021	2020	2019	2018
Operating Surplus Ratio					
Total Operating Surplus/Deficit	0.00%	-22.84%	-18.87	-23.02%	-26.12%
Total Operating Income					
This indicator shows the extent to which operational expenses are covered by operational income, and if in surplus, how much is available to use for other purposes such as capital expenses. This has been calculated from the forecast budget.					
Debt Service Ratio (External Loans)					
Net Debt Service Cost	<5%	0.72%	0.80%	0:00%	0:00%
Operating Revenue					
A Council's debt service ratio shows Council's debts (principal + interest) in relation to Council's income.					
Rate Coverage Percentage					
Rate Revenues	60%-75%	66.44%	54.69%	48.34%	56.67%
Total Revenues					
This indicator shows the percentage of total revenue raised through rates income.					
Rates & Annual Charges Outstanding Percentage					
Rates & Annual Charges Outstanding	<5%	6.73%	5.08%	3.84%	3.39%
Rates & Annual Charges Collectible					
This percentage shows Council's total rates outstanding against rates payable to Council in this financial year. The rate will decrease as instalment dates pass.					

SECTION 2

Financial Results

		2.6 - Creditor Accounts Paid	February 2021
	Creditor Name	Creditor Payment Type	Amount \$
V02486	Macquarie Bank Limited	Investment	1,000,000.00
V00295	Jacana Energy	Utilities	235,795.41
5104	JLM Contracting Services Pty Ltd	General Creditors	178,714.37
2	Australian Taxation Office - PAYG	General Creditors	174,530.00
V01755	Liquid Blu Pty Ltd	General Creditors	162,290.15
V00773	Akron Group NT Pty Ltd	General Creditors	155,031.83
549	City of Darwin	General Creditors	116,963.98
V00318	StatewideSuper Clearing House	Superannuation	108,483.83
V03073	Programmed Property Services	General Creditors	103,614.74
5508	Open Systems Technology Pty Ltd - CouncilFirst	General Creditors	81,967.09
798	YMCA of the Northern Territory	General Creditors	54,288.69
V01812	C R Campbell - Electrical and Data Contractors	General Creditors	49,842.90
V02096	Totem Fencing Pty Ltd	General Creditors	42,058.06
938	Nightcliff Electrical	General Creditors	38,578.24
V00592	Dreamedia	General Creditors	35,473.90
4190	National Australia Bank	General Creditors	35,117.45
900	Palmerston Golf & Country Club Inc	General Creditors	33,000.00
3936	Arafura Tree Services and Consulting	General Creditors	28,798.00
V03075	KCOM Construction	General Creditors	28,226.50
87	Industrial Power Sweeping Services Pty	General Creditors	28,129.09
5031	All Aspects Recruitment & HR Services	General Creditors	26,774.82
V00368	iWater NT	General Creditors	25,727.90
1607	Sterling NT Pty Ltd	General Creditors	21,626.16
3787	Total Event Services T/A Top End Sounds P/L	General Creditors	21,000.65
V00250	Ward Keller	General Creditors	20,572.20
V00582	Ezko Property Services (Aust) Pty Ltd	General Creditors	20,458.59
V01009	Australian Parking and Revenue Control Pty Limited	General Creditors	20,069.50
V00285	Palmerston & Litchfield Seniors Association Inc	General Creditors	20,000.00
V02509	Harbour Software Pty Ltd	General Creditors	19,800.00
5651	Minter Ellison Lawyers	General Creditors	19,110.47
V03222	Matrix on Board Training Pty Ltd	General Creditors	17,600.00
V03072	Larrakia Development Corporation	General Creditors	16,386.43
V02814	Agon Environmental Pty Ltd	General Creditors	16,104.00
54	Powerwater	Utilities	15,041.81
47	Telstra Corporation Ltd	General Creditors	15,007.64
5122	NT Electrical Group	General Creditors	14,282.40
4355	Tonkin Consulting	General Creditors	13,695.00
V01537	Ben's Tree Service Pty Ltd	General Creditors	12,540.00
V01860	Hays Specialist Recruitment (Australia) Pty Ltd	General Creditors	12,487.28
V01936	Arjays Sales & Services Pty Ltd	General Creditors	10,953.86
3683	Area9 IT Solutions	General Creditors	10,615.48
V03179	Douglas Partners Pty Ltd	General Creditors	10,441.75
4065	Southern Cross Protection Pty Ltd	General Creditors	10,327.26
V00599	Athina Pascoe-Bell	Elected Members	9,401.99
2587	Top End RACE	General Creditors	8,399.73
3880	PAWS Darwin Limited	General Creditors	8,375.00
4472	Australian Institute of Company Directors	General Creditors	8,250.00
444	Ms Techy Masero	General Creditors	7,700.00
2965	KIK FM Pty Ltd	General Creditors	7,393.35
V02491	Hydro-Plan Pty Ltd	General Creditors	7,106.00
V01612	News Corp Australia	General Creditors	7,035.06
V02162	RMI Security - Conigrave Pty Ltd	General Creditors	6,882.14
V01643	KPMG	General Creditors	5,946.60
V01421	Shaun Lee	General Creditors	5,895.00
1470	Local Government Professionals Australia	General Creditors	5,885.00
712	Paradise Landscaping (NT) Pty Ltd	General Creditors	5,667.20
3834	Good Shepherd Lutheran College	Grants, Sponsorships, Donations & Prizes	5,500.00
V02329	Palmerston Rovers Football Club	Grants, Sponsorships, Donations & Prizes	5,000.00
V01572	Lucy Morrison	Elected Members	4,882.46
V03200	Fulton Hogan Industries Pty Ltd	General Creditors	4,730.00
V01584	Salary Packaging Australia	General Creditors	4,674.34
V01134	Territory Technology Solutions Pty Ltd	General Creditors	4,661.25
V00939	Defend Fire Services Pty Ltd	General Creditors	4,380.94

COUNCIL AGENDA

Attachment 13.1.2.1


	Creditor Name	Creditor Payment Type	Amount \$
399	St John Ambulance (NT) Incorporated	General Creditors	4,220.57
26	Viva Energy Australia Ltd	General Creditors	4,216.03
V03176	Fuji Xerox Australia Pty Limited	General Creditors	4,119.50
3971	Pipeline Renovations Pty Ltd trading as RenoFLO	General Creditors	3,960.00
V02577	Zeritas Pty Ltd T/A LMH Consulting Group	General Creditors	3,960.00
V01118	Wilson Security Pty Ltd	General Creditors	3,854.12
V01829	Master Blaster High Pressure Cleaning	General Creditors	3,850.00
V01619	Merit Partners Pty Ltd	General Creditors	3,738.90
5615	EcOz Environmental Consulting	General Creditors	3,733.79
V01830	Vocam Pty Ltd	General Creditors	3,569.50
V02616	ELB Pty Ltd	General Creditors	3,458.40
V02563	Amcom Pty Ltd Acc no 68842	General Creditors	3,402.66
V01574	Dr Thomas A Lewis OAM	Elected Members	3,308.65
V01143	Channel Nine Darwin (Territory Television Pty Ltd)	General Creditors	3,300.00
V03297	Sara-Ann Harn	Refunds & Reimbursements	2,807.61
V00193	Amcom Pty Ltd Acc no CN5439	General Creditors	2,733.50
5611	Steelmans Tools and Industrial Supplies	General Creditors	2,636.04
V00271	Fuji Xerox Business Centre NT	General Creditors	2,493.84
112	Beaurepaires	General Creditors	2,448.74
289	Bolinda Publishing Pty Ltd	General Creditors	2,317.31
3438	NT Shade & Canvas Pty Ltd	General Creditors	2,206.60
V01389	Darwin Argos Painting	General Creditors	2,200.00
V01835	Deloitte Private Pty Ltd	General Creditors	2,200.00
V00168	Tactile Arts T/A Craft Council of the NT	General Creditors	2,125.00
V03281	DNP Installations	General Creditors	2,124.00
V03292	Blume Designs	General Creditors	2,123.00
5640	Think Water - Winnellie & Virginia	General Creditors	2,092.40
V01569	Benjamin Giesecke	Elected Members	2,045.05
V01570	Sarah Louise Henderson	Elected Members	2,045.05
V01573	Amber Garden	Elected Members	2,045.05
V01277	Express Studios	General Creditors	2,000.00
V01615	Autopia Management Pty Limited	General Creditors	1,991.28
V01571	Michael Spick	Elected Members	1,978.38
V01579	Damian Hale	Elected Members	1,978.38
V01785	M&S Mowing Plus	General Creditors	1,936.00
V02277	Mowbray Investments Pty Ltd - On The Menu Catering	General Creditors	1,883.35
2336	Flick Anticimex Pty Ltd	General Creditors	1,839.29
V00399	Palmerston and Regional Basketball Association	General Creditors	1,822.80
V02306	Well Done International Pty Ltd	General Creditors	1,802.79
V02057	1st Palmerston Scouts - Scout Assoc NT	Grants, Sponsorships, Donations & Prizes	1,800.00
V02611	N B Gregory	Refunds & Reimbursements	1,751.60
4398	Quality Indoor Plants Hire	General Creditors	1,727.29
3099	Iron Mountain Australia Pty Ltd	General Creditors	1,700.99
V03273	Bundirrik Cultural Services - Trent Lee	General Creditors	1,700.00
5036	Dormakaba Aust P/L T/as Territory Door Services	General Creditors	1,667.82
V03265	J-MILLA	General Creditors	1,650.00
V01590	MSKK Pty Ltd T/A Trojon Contractors	General Creditors	1,647.80
4737	D & L Plumbing & Gasfitting	General Creditors	1,641.20
4883	Creative Light Studios - Shane Eecen	General Creditors	1,595.00
36	Darwin Lock & Key	General Creditors	1,537.23
V01732	Forrest PR	General Creditors	1,500.00
V03255	Joanna del Nido	General Creditors	1,500.00
V03290	HR Publications Pty Ltd	General Creditors	1,489.00
4336	Wavesound Pty Ltd	General Creditors	1,484.45
30	Colemans Printing Pty Ltd	General Creditors	1,478.40
V00270	Janie Andrews (Artist and Designer)	General Creditors	1,450.00
V01420	CENTRELINK (PAYROLL)	General Creditors	1,364.94
V03296	Felicity Rae Waldmann	Refunds & Reimbursements	1,204.87
1874	Ulverscroft Large Print Books Limited	General Creditors	1,172.06
3594	Comics NT	General Creditors	1,144.99
V03262	WOW Wipes	General Creditors	1,137.40
5	Australia Post	General Creditors	1,126.74
V01234	Mulga Security	General Creditors	1,027.68
3829	Fairy Jill's Enchanted Entertainment	General Creditors	1,023.00
V01976	Walking Off the War Within Inc	Grants, Sponsorships, Donations & Prizes	1,000.00
V01958	Ross Kourounis T/A Rossi Architects	General Creditors	924.00
566	Stickers & Stuff	General Creditors	903.00
3879	Litchfield Council	General Creditors	900.00
V01810	Jacana Energy - Payroll Deductions	General Creditors	860.00

COUNCIL AGENDA

Attachment 13.1.2.1

	Creditor Name	Creditor Payment Type	Amount \$
2238	Hollands Print Solutions Pty Ltd	General Creditors	858.00
215	Employee Assistance Services NT Inc (EASA)	General Creditors	830.61
V00943	Rentokil Initial P/L - T/a NT Pest & Weed Control	General Creditors	825.00
V03303	Craig P Knight	Refunds & Reimbursements	804.00
3313	Zip Print	General Creditors	764.50
V02167	Sanity Music Stores Pty Ltd	General Creditors	707.21
V01906	Darwin Automotive Pty Ltd (Darwin Motor Group)	General Creditors	692.91
2977	Security & Technology Services P/L	General Creditors	674.85
2915	Territory Uniforms	General Creditors	654.50
V01716	Bentley McGuinness Media Pty Ltd	General Creditors	650.00
V02552	Benjamin Joyce	Refunds & Reimbursements	640.90
V02075	FL Pools Pty Ltd T/a Fingleaf Pool Products	General Creditors	635.00
V01880	Pony and Sid Catering Co - Eliza McClelland	General Creditors	630.00
V00542	Industry Health Solutions	General Creditors	627.00
256	The Bookshop Darwin	General Creditors	621.73
V02364	Shipping Containers Leasing Pty Ltd	General Creditors	613.80
2199	SBA Office National	General Creditors	600.03
5594	Kevin McCarthy	General Creditors	600.00
V00614	RTM - Dept. of the Attorney General and Justice	General Creditors	594.00
237	National Flags	General Creditors	590.00
V00200	Red Earth Automotive Pty Ltd	General Creditors	584.45
V00073	Off the Leash	General Creditors	550.00
V02992	Balloon Events & More	General Creditors	530.00
3442	Chung Wah Society Inc.	General Creditors	500.00
536	TIO - Territory Insurance Office	General Creditors	500.00
V03185	Pawsitive K9 Behaviour	General Creditors	495.00
V01694	NT Advertising and Distribution	General Creditors	484.00
5676	Royal Wolf Trading Australia Pty Ltd	General Creditors	450.19
V03278	Andrew Growse	Refunds & Reimbursements	441.00
2186	Optus Billing Services Pty Ltd	General Creditors	440.06
395	Elders Real Estate Darwin	Refunds & Reimbursements	429.00
4528	Miranda's Armed Security Officers Pty	General Creditors	426.80
639	Cleanaway Pty Ltd.	General Creditors	414.05
35	WINC Australia Pty Limited	General Creditors	410.71
V01213	Khaled El-Sheikh Pty Ltd Trading as Bodyfit NT	General Creditors	400.00
V03000	Jess Cussen Graphic Design	General Creditors	396.00
V00202	YACCA GOLD P/L T/A Central Business Equipment	General Creditors	354.20
V02980	V Lambda Pty Ltd	General Creditors	330.00
4679	iSentia Pty Ltd	General Creditors	317.90
V00332	Stacie Selwood T/a Hyper The Clown	General Creditors	300.00
4508	News 4 U	General Creditors	286.55
V02534	Water Dynamics Pty Limited	General Creditors	277.40
3788	HPA Incorporated	General Creditors	275.00
4785	Rebecca Forrest	Grants, Sponsorships, Donations & Prizes	250.00
V03213	Paige Horrigan	Grants, Sponsorships, Donations & Prizes	250.00
V03288	Mya Medicott - Parent: Marina Hernandez	Grants, Sponsorships, Donations & Prizes	250.00
4561	Bendesigns	General Creditors	242.00
V03259	Locklins Landscape Gardening	General Creditors	220.00
22	Norsign Pty Ltd	General Creditors	203.50
V03023	Reeling Veterans Incorporated	Refunds & Reimbursements	200.00
272	City Wreckers	General Creditors	154.00
V03035	Darwin Mobile Detailers	General Creditors	150.00
V03291	Living Planit Pty Ltd	Refunds & Reimbursements	146.32
5435	Access Hardware (NT) Pty Ltd	General Creditors	140.80
V03277	Zuhaib Hayat	Refunds & Reimbursements	125.00
V03280	Jacqui Tarquinio	Refunds & Reimbursements	125.00
V03293	Karunika Pamarathne	Refunds & Reimbursements	125.00
V03307	Ian Taylor - Non-denominational Christian Group	Refunds & Reimbursements	125.00
V00075	Mercury Group of Companies Pty Ltd (T/A Fit2Work)	General Creditors	121.77
V03199	Rachel Wharam	General Creditors	120.00
V02285	Territory Native Plants	General Creditors	110.00
3428	Bunnings Group Limited	General Creditors	107.27
V00334	Zumba with Adriana	General Creditors	100.00
V00994	Frangipani Farm	General Creditors	100.00
201	Spotless Facility Services Pty Ltd (T/A Ensign)	General Creditors	98.96
V03306	Michael Taylor	Refunds & Reimbursements	88.15
V00443	Top End Hydraulic Services P/L T/A Forecast Machin	General Creditors	63.25
V00902	Coles Motors	General Creditors	50.00
V03285	TR & LE Commons-Fidge	Refunds & Reimbursements	50.00

COUNCIL AGENDA Attachment 13.1.2.1

Creditor Name		Creditor Payment Type	Amount \$
V03289	Nimm Constructions (Aust) Pty Ltd	Refunds & Reimbursements	50.00
V03294	Peter Curwen-Walker	Refunds & Reimbursements	50.00
V03304	Janice Bartsch	Refunds & Reimbursements	50.00
V01938	Windcave Pty Limited	General Creditors	49.50
V00890	Laundryplus	General Creditors	48.18
V01203	Tyreright Palmerston	General Creditors	40.00
V03279	Cecile Miel	Refunds & Reimbursements	27.00
V01739	Carmen Greiner	Refunds & Reimbursements	21.00
V03275	Gavin Floyd	Refunds & Reimbursements	21.00
V00475	Outback Batteries	General Creditors	18.00
V02545	Amazon Web Services Inc	General Creditors	1.92
			3,384,269.50
Percentage of this month's payments made to local suppliers (excludes investments placed)			76%
 Approved by: Manager Finance			

SECTION 2

Financial Results

2.7 - Creditor Accounts Outstanding February 2021

Creditor No.	Creditor Name	Amount \$
V00318	StatewideSuper Clearing House	4,985.45
V03305	Halfpennys Lawyers Pty Ltd	4,400.00
2336	Flick Anticimex Pty Ltd	2,881.07
V03035	Darwin Mobile Detailers	300.00
V00582	Ezko Property Services (Aust) Pty Ltd	209.00
35	WINC Australia Pty Limited	178.79
		12,954.31



Approved by: Manager Finance

COUNCIL AGENDA Attachment 13.1.2.1

Section 2 Financial Results

2.8 - Waste Charges as at 28 February 2021 Waste Management

	Revised Budget \$	YTD Actuals \$	Commitment \$	Total YTD Actuals + Commitments \$	% Utilised
Income					
Rates & Charges	6,900,590	6,929,181	0	6,929,181	100%
Income	6,900,590	6,929,181	0	6,929,181	100%
Operating Expenditure					
Employee Costs	-840,533	-490,322	0	-490,322	58%
Professional Services	-275,900	-92,669	-71,900	-164,569	60%
Grants / Donations/Contributions Paid	-20,000	-2,000	0	-2,000	10%
Utilities	-11,912	-6,596	0	-6,596	55%
Street Sweeping	-320,000	-177,745	-25,273	-203,018	63%
Litter Collection	-520,000	-124,101	-8,924	-133,025	26%
Domestic Bin Collection	-2,205,200	-990,961	-150,733	-1,141,695	52%
Slashing of Long Grass	0	-10,050	-1,560	-11,610	0.00%
Community Programs & Events	-10,000	0	0	0	0%
Kerb Side Collections	-153,000	-153,064	0	-153,064	100%
Tip Recharge Domestic Bin collection	-755,000	-461,837	0	-461,837	61%
Transfer Station	-1,150,000	-499,322	0	-499,322	43%
Loan Repayments	-46,000	-24,527	0	-24,527	53%
Tip Recharge Transfer Station	-440,000	-207,037	0	-207,037	47%
Operating Expenditure	-6,747,545	-3,240,230	-258,391	-3,498,621	52%
Capital Expenditure					
Reserve Funded Capital Works	-180,000	0	0	0	0%
Capital Expenditure	-180,000	0	0	0	0%
Borrowings					
Repayments - Archer Loan Principal	-228,223	-112,660	0	-112,660	49%
Borrowings	-228,223	-112,660	0	-112,660	49%
Profit/(Loss)	-255,178	3,576,291	-258,391	3,317,900	

Approved by: Manager Finance

Section 2
Financial Results

2.9 - Commercial Leases as at 28 February 2021
Commercial Leases

	Revised Budget \$	YTD Actuals \$	Commitment \$	Total YTD Actuals + Commitments \$	% Utilised
Income					
Library Services	22,676	25,796	0	25,796	114%
Director Organisational Services	50,012	46,225	0	46,225	92%
Civic Centre	104,999	93,333	0	93,333	89%
Income	177,687	165,354	0	165,354	93%
Expenditure					
Director Organisational Services	-11,000	-7,427	0	-7,427	68%
Expenditure	-11,000	-7,427	0	-7,427	68%
Profit/(Loss)	166,687	157,927	0	157,927	

Library Services includes lease held by The Nook

Civic Centre includes the lease held by Adult Mental Health

Director Organisational Services includes the leases held by Peter McGrath and Palmerston Re-Engagement Centre

McGees Management Fees charged to Director Organisational Services each month



Approved by: Manager Finance

Section 2 Financial Results

2.10 - Council Loans

28 February 2021

Internal Loan - Making the Switch Expenditure

	Internal Loan \$	Expended from Loan \$	Interest on Loan \$	Total \$
Expenditure				
LED Lighting PR6JECT-3 Making the Switch	3,223,849	3,223,849	110,403	3,334,252
Public Lighting Officer 2019/20	114,000	114,000	298	114,298
Public Lighting Officer 2020/21	116,000	77,333	304	77,637
Expenditure	3,453,849	3,415,182	111,005	3,526,187

The above costs relating to the internal loan are over the life of the project to date, including the expenditure from the 2018/19 and 2019/20 financial years. The interest rate is fixed at 2.60% for the duration of the loan.

The final loan value for this project is \$3,223,849 not including employee costs for the Public Lighting Officer and interest incurred.

Internal Loan - Making the Switch Repayments

	Internal Loan \$	Prior Year Repayments \$	Current Year Repayments \$	Total \$	Outstanding Balance \$
Expenditure					
Making the Switch	3,526,187	200,000	0	200,000	3,326,187
	3,526,187	200,000	-	200,000	3,326,187

External Loan - Archer Landfill Rehabilitation

	External Loan \$	Principal Repayments \$	Interest Payments \$	Total \$	Outstanding Balance \$
Expenditure					
Archer Landfill Rehabilitation	1,960,000	334,308	77,637	411,945	1,625,692
	1,960,000	334,308	77,637	411,945	1,625,692

The External Loan - Archer Landfill Rehabilitation is for a term of 8 years commencing 28 June 2018 and concluding 30 June 2027. The interest rate is fixed at 2.78% for the duration of the loan.



Approved by: Manager Finance

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.2.1
REPORT TITLE:	Peckham Court Pedestrian Access Petition
MEETING DATE:	Tuesday 16 March 2021
AUTHOR:	Manager City Operations, Michael Taylor
APPROVER:	Director City Growth and Operations, Nadine Nilon

COMMUNITY PLAN

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

PURPOSE

This report presents the petition received by Council in relation to installing a lockable gate at the pathway access point from Chung Wah Terrace to the south west end of Peckham Court, Gunn; and addresses a laneway closure request associated with the petition.

KEY MESSAGES

- Council received a petition in January 2021 in relation to installing a code accessible gate for residents at the pathway access from Chung Wah Terrace to Peckham Court, Gunn.
- A letter accompanying the petition included a laneway closure request for the pathway access from Chung Wah Terrace to Peckham Court, Gunn.
- The pathway is located within the road reserve that continues at the end of Peckham Court.
- The pathway is not recorded as a laneway, and the Laneway Management Policy is not considered to apply.
- Enhancing pathway network connectivity is an ongoing strategic approach for Council and installing an access gate would contradict this approach.
- A code access gate is not recommended as it would reduce pathway connectivity, remove public accessibility and require ongoing operational requirements.
- A Crime Prevention Through Environmental Design (CPTED) review is recommended to determine whether there are landscaping and/or lighting measures that could occur to improve the amenity and safety of the area.

RECOMMENDATION

1. THAT Report entitled Peckham Court Pedestrian Access Petition be received and noted.
2. THAT Council write to the petition organiser acknowledging the petition and advising that there will be no change to the public access from Chung Wah Terrace to Peckham Court, Gunn.

BACKGROUND

At the 2nd Ordinary Council Meeting of 19 January 2021 Council made the following decision:

11.1 Peckham Court Fence

2. THAT a Report be prepared considering the petition request and it be presented to Council at the 2nd Ordinary Meeting in March 2021.

The Petition (**Attachment 13.2.1.1**), stated:

We the undersigned respectfully showeth

We, the residents of the suburb Gunn in the Northern Territory are tired of the uninvited individuals who access the opening in the fence during the day or at night to perform illegal or suspicious behaviour in and around our homes.

Your petitioners therefore humbly pray that

The Northern Territory Government work with City of Palmerston and install a locked gate at the opening to Chung Wah Terrace (adjacent to Peckham Court, Gunn) which has access only via a code for local residents to use.

The petition included 29 signatures from 24 properties.

In addition to the petition, a letter was presented to Council, requesting a laneway closure for the pathway access from Chung Wah Terrace to Peckham Court.

Council records have indicated there have been minimal complaints or requests relating to this pathway access. There has been an MLA request in November 2020, conveying the same issues in the petition, and requesting Council consider restricted access options for the gate entrance between Chung Wah Terrace and Peckham Court. The request to restrict access or close the pathway was not agreed to at that time, on the grounds of preserving pathway network connectivity.

This report reviews the issue that has been raised through the petition and provides a recommendation to Council.

DISCUSSION

Peckham Court and McPhee Place are local roads located in Gunn, off Lakeview Boulevard between Chung Wah Terrace and the Gunn Escarpment. The location is provided within **Attachment 13.2.1.4**. A total of 38 properties are included in the immediate footpath catchment area, with pedestrian access to Chung Wah Terrace in two locations, one pathway at the northern end of Peckham Court which also provides access to the escarpment, and one pathway at the southern end of Peckham Court.

The pathway this report, and the petition, is in relation to is the southern access, as shown in Image 1 below. The pathway is located within road reserve at the end of Peckham Court, between property numbers 8 and 9, connecting to the Chung Wah Terrace pathway. **Attachment 13.2.1.3** provides images of the current pathway.



Image 1: Peckham Court Pathway

The petition and letter present two requests relating to the pathway:

1. Petition – request to install a gate that residents can access via a code.
2. Letter – request to close the pathway corridor via the Laneway Management Policy.

Whilst this report is focussed on the petition request for the locked gate, the letter requesting the laneway closure is also considered within this report, as it was also tabled at the Council meeting in January.

Petition – Restricted Access to Pathway

The petition received included 29 signatures from 24 properties, and requested a gate be installed at the pathway with code access provided to allow only residents to utilise the access. This request was based on activities occurring during the day and night where individuals were considered to be using the access to perform illegal or suspicious behaviour.

Attachment 13.2.1.4 presents a map of the location and the 24 properties that signed the petition, representing 63% of the footpath catchment area. There are a total of 38 properties within the immediate areas, and it is unknown whether the remaining 12 residents or owners are in agreeance with the petition request.

Preserving pathway network connectivity is a key consideration for Council with this petition request, along with providing an inclusive and accessible network for all users, regardless of their residential address. Enhancing pathway network connectivity is an ongoing priority for Council with programs in place to install new pathways. The Inclusive, Diverse & Accessible (IDA) Policy Framework, currently in draft for consultation, highlights Council's ongoing commitment to ensuring Council infrastructure and facilities are accessible for all. Restricting access to immediate residents may contradict these goals.

There is also concern that restricting access may not be in line with the NT Anti-Discrimination Act as equal access for all will not be provided for.

The proposed access gate would impact all 38 properties in the footpath catchment area, and as the petition is a point in time, property preferences may vary overtime with changes in occupancy and ownership.

A reason for the petition is the concern around illegal and suspicious behaviour. It is not known if any previous illegal/suspicious behaviour was related to the pathway, and if installing a gate would reduce the chance of future behaviour. There are also operational implications associating a code access gate, such as determining who issues the access code and accounting for changing residents over time.

After considering the factors described above, it is not recommended to proceed with the petition request to restrict access to the pathway through the use of a gate with an access code.

Letter – Laneway Closure Request

The letter presented with the petition, provided as **(Attachment 13.2.1.2)**, requests Council to consider closing the pathway at the south end of Peckham Court, with reference to the Laneway Management Policy procedures. The information provided meets the requirements for laneway application, with the exception of property #10 being the second property, not #9 as the second adjoining property.

The Peckham Court pathway is not included on Council's list of laneways. The Laneway Management Policy includes definitions of laneways, the most applicable to Peckham Court, if it were to be considered a laneway, would be the Street Access Laneways, which is defined as; *A laneway connecting two streets and the land is a continuation of the road reserve*. However, the intent of this definition is considered to refer to the majority of laneways within Palmerston where a portion of 3m road reserve is connected between roads, rather than an extension of the roadway itself.

Laneways (as covered by the Laneway Management Policy) are not permitted in new developments. Linkage corridors are permitted where they provide pedestrian access (ideally to open space) and are to be a minimum of 10m wide and are treated as public open space.

Included with the letter was also details of 4 incidents reported to police, relating to two instances each from 8 Peckham Court, and 10 Peckham Court.

Northern Territory Police have provided some high-level information on the incidents included with the letter. The incidents all occurred from June 2020 to November 2020, and included disturbance, unlawful entry and stealing. It is not known whether, or how, the pathway contributed to these instances.

Due to the pathway not considered a laneway in accordance with the Laneway Management Policy, in conjunction with the pathway connectivity factors, it is not recommended to proceed with the request to close the pathway corridor in accordance with the Policy.

However, if Council were to consider the pathway a laneway, it would be recommended that the applicant is consulted with regarding the Laneway Management Policy and process, and enable them to commence the request process, subject to both #8 and #9 Peckham Court completing the application form as the adjacent owners. If this pathway were to be considered a laneway, there is the risk that pathways of a similar nature will be requested for closure.

Alternative Options

Whilst the petition and laneway haven't discussed other factors, such as the fencing and lighting, there are other elements that Council could undertake to improve the amenity and safety of the area.

A Crime Prevention Through Environmental Design (CPTED) review could be undertaken to ensure there is appropriate surveillance and measures in place to reduce the risk of crime. This would consider lighting, vegetation management, and fencing. This would need to occur in conjunction with NTG as the road owner of Chung Wah Terrace, and in consultation with adjacent landowners.

If the review identifies lighting as a concern, this will be included within Council's Dark Spot program. Landscaping and fencing amendments will be undertaken operationally as identified, in conjunction with NTG as relevant.

The area itself, regardless of a CPTED review, will be attended to with damaged fencing to be replaced, and landscape maintenance occurring.

Summary

As discussed, the restriction, or closure, of access is not recommended. In summary, this recommendation is due to;

- It is not known whether, or how, the pathway may be contributing to criminal activity.
- The pathway provides pedestrian access to Peckham Court from Chung Wah Terrace, to be utilised by the residents of Peckham Court and McPhee Place, along with the broader community.
- There is the potential to create a precedence for other pathways of this type to be requested for closure.
- If restricted access was provided, it may be considered to be against the principles of Council's draft IDA Policy Framework, and potentially the NT Anti-Discrimination Act.
- The pathway is not considered a laneway in relation to the Laneway Management Policy, and the property at #9 has not signed the petition, nor been included within the closure request letter.
- If a gate with a code was used, ongoing operational requirements, such as managing code access and accounting for varying occupancies.

With reference to principles outlined in the Laneway Management Policy, preserving pathway network connectivity is important, and addressing antisocial behaviour can be achieved by working with relevant stakeholders to implement other measures that may assist reducing criminal behaviour.

It is recommended to not close, or restrict closure, of the pathways from Peckham Court to Chung Wah Terrace.

A CPTED review of the pathway will occur operationally and relevant outcomes

Implementing such measures may improve the concerns raised by residents, without compromising pathway network connectivity.

CONSULTATION PROCESS

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

- Director City Growth and Operations
- Civil Operations Team Leader

- Technical Officer

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

- Northern Territory Police
- Northern Territory Government – Department of Planning, Infrastructure and Logistics

POLICY IMPLICATIONS

The Laneway Management Policy has been considered in relation to this report, and the Policy would apply if the pathway was considered to be a laneway.

The draft Inclusive, Diverse & Accessible Policy Framework has also been reviewed in relation to this report.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this report. The CPTED review, and related activities, will occur within existing budgets and programs.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Council has an ongoing pathway program to improve pathway network connectivity across the municipality, and if any reduction to connectivity were to occur without a strategic approach, there is the risk that this may be considered not in line with this. If Council agrees to the petition request, there is risk it will set a precedence for other pathways that are similar in nature.

There is also the risk of the draft Inclusive, Diverse & Accessible Policy Framework approach of providing accessibility to all of the Palmerston community may be compromised if a restricted access approach was taken. The NT Anti-Discrimination Act may also apply if access was not considered to be equal and restricting access to those that don't live in a particular location.

This report addresses the following City of Palmerston Strategic Risks:

6. Fails to create and deliver the strategic vision for the City.

Context: Ensuring a vision is enduring and clear to all relevant stakeholders, guiding future decision making, delivered effectively and efficiently, and that progress is measurable and celebrated.

8. Fails to develop effective relationships and manage expectations of relevant parties.

Context: Engagement and communication with stakeholders (internal and external to the Council).

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

1. Peckham Court Petition Signatures [13.2.1.1 - 2 pages]
2. Peckham Court Fence Letter [13.2.1.2 - 2 pages]
3. Peckham Court Photographs [13.2.1.3 - 1 page]
4. Petition map - Peckham Court and Mc Phee Place [13.2.1.4 - 1 page]

COUNCIL AGENDA Attachment 13.2.1.1

TO THE DEPARTMENT OF ATTORNEY-GENERAL AND JUSTICE
OF THE NORTHERN TERRITORY:

WE THE UNDERSIGNED RESPECTFULLY SHOWETH

We, the residents of the suburb Gunn in the Northern Territory are tired of the uninvited individuals who access the opening in the fence during the day or at night to perform illegal or suspicious behaviour in and around our homes.

YOUR PETITIONERS THEREFORE HUMBLY PRAY THAT

The Northern Territory Government:

1. Work with City of Palmerston and install a locked gate at the opening to Chung Wah Terrace (adjacent to Peckham Court, Gunn) which has access only via a code for local residents to use.

AND YOUR PETITIONERS, AS IN DUTY BOUND, WILL EVER PRAY.

	NAME	ADDRESS	SIGNATURE
1	Stephen + Rachael Sheppard	8 Peckham Court, Gunn, N.T., 0832	
2	Robert Ham	7 Peckham Ct Gunn NT	
3	A. Morton	4 Peckham Ct Gunn	
4	C. MYLES	31 PECKHAM CRT GUNN	
5	N. TURNER	2 McPhee Pl GUNN	
6	N. DRIVER	14 McPhee Pl GUNN	
7	B. LITTLE	12 McPhee Pl GUNN	
8	N. Turner	10 McPhee Pl Gunn	
9	A. Kren	13 MCPHEE PL GUNN	
10	DARREN WEBSTER	8 MCPHEE PL GUNN	
11	J. FOX	6 MCPHEE PL GUNN	
12	D. Newnham	6 McPhee PL Gunn	
13	T. JAMES	13 PECKHAM CRT GUNN	
14	C. BRENNAN	13 PECKHAM CRT GUNN	
15	P. LEEDIE-DUNCAN	5 PECKHAM CRT GUNN.	
16	KEVIN THOMAS	9 MCPHEE CRT GUNN	
17	RHANA THOMAS	9 MCPHEE PLACE GUNN	
18	DOT CHAPMAN	3 MCPHEE PLACE	
19	Ieyin Brown	7 McPhee PL Gunn	
20	Peter Clouting	4 McPhee Pl Gunn	
21	Clint Roberts	5 McPhee Pl Gunn	
22	Norissa Sailer	5 McPhee Pl Gunn	
23	EDON BELL	20 PECKHAM COURT GUNN	
24	Brendon + Jo Calbeck	15 PECKHAM COURT GUNN	

COUNCIL AGENDA Attachment 13.2.1.1

25	Hamish Botling	14 Peckham Ct Gunn	Botling
26	Linda Hopwisch	12 Peckham Ct Gunn	SS
27	Chris Voigt	12 Peckham Ct Gunn	Voigt
28	Alycia Wetering	10 Peckham Ct Gunn	Wetering
29	Reg Rose	10 Peckham Ct Gunn	Reg Rose
30			
31			
32			
33			
34			
35			
36			

To Whom it May Concern,

We are writing to you as we wish to submit a formal request to the Palmerston City Council for the closure of the laneway located on McPhee Place/Peckham Court Gunn backing onto Chung-Wah Terrace, Palmerston.

Due to the ease of access this laneway provides onto both Chung-Wah Terrace and another laneway located directly across leading into Bagshaw Terrace, Gray, this area has proved to be a popular and easy access/escape point for criminals.

With properties located on both McPhee Place and Peckham Court being subject to multiple break-ins, property damage and theft, we are under the belief with the closure of this laneway, both criminal and anti-social behaviours will be reduced within this particular area.

A separate document has been provided along with this application with details of incidents reported to NT police including period of occupancy as well as a petition for the closure of the laneway signed by the residents of Peckham Court/McPhee place.

We also understand that Palmerston City council wish to retain laneways to enable active transport options however due to the escarpment located at the end of Peckham Court we believe the closure of this particular laneway will not impact on the active transport options within the vicinity of this area.

Please also note we wish to also acknowledge that financial contribution will be paid to council on request prior to the instigation of the closure of the laneway.

We appreciate the time taken to consider our request. Should anyone require any further information or supporting evidence please don't hesitate in making contact with our community.

Regards

Residents of McPhee Place/Peckham Court, Gunn

COUNCIL AGENDA

Attachment 13.2.1.2

[illegible]



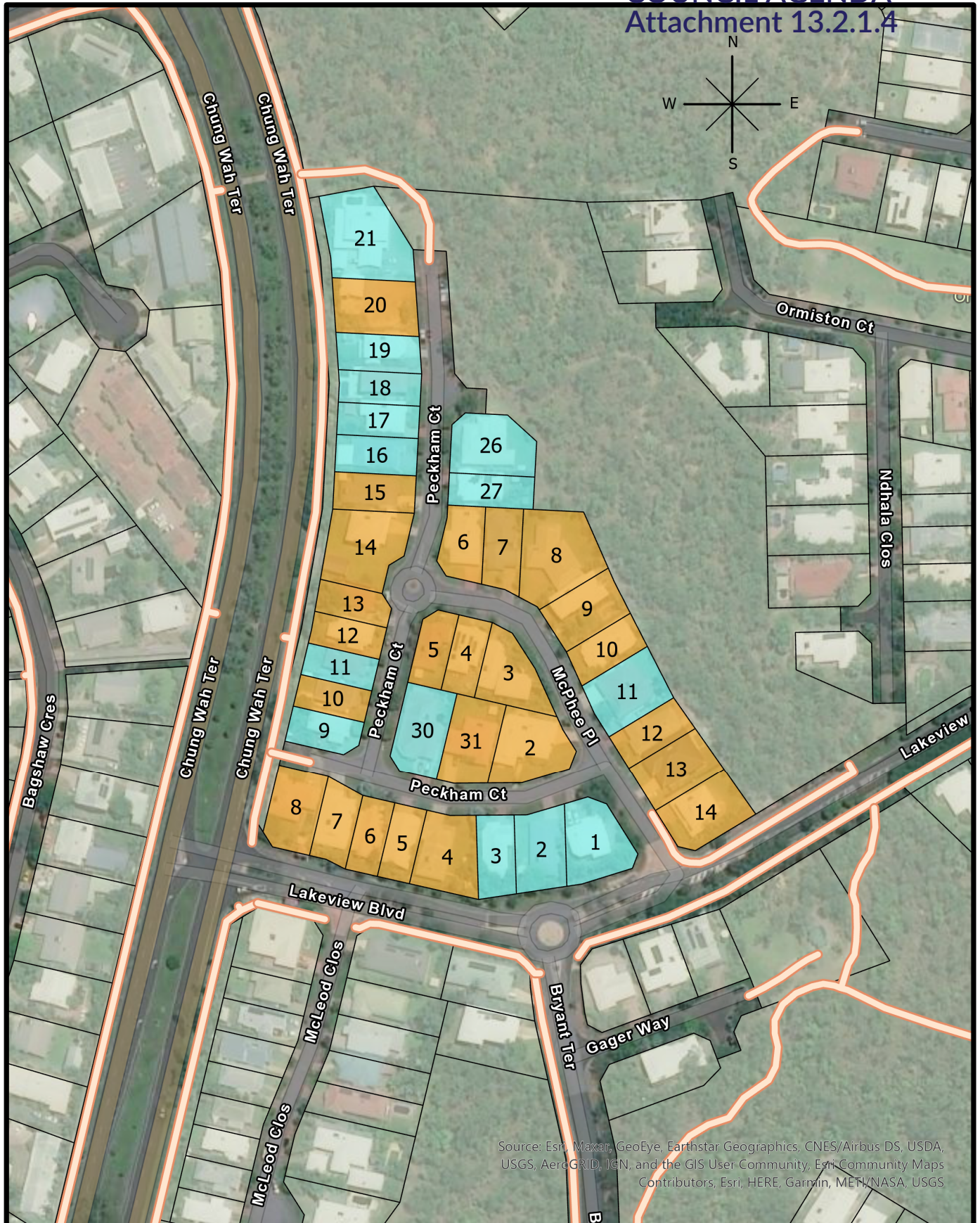
Photo 1 – Peckham Court Pathway access



Photo 2 - Peckham Court Pathway access



Photo 3 - Pathway from Chung Wah Terrace



Peckham Court Fence Petition

0 17 34 68 Meters

Petition Area

- Has not signed petition
- Has signed petition
- Pathways (excluding laneways)
- Property Boundaries

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.2.2
REPORT TITLE:	Community Benefit Scheme Grant Application - Riding for the Disabled in the Top End Inc.
MEETING DATE:	Tuesday 16 March 2021
AUTHOR:	Community Services Officer, Tess Riches
APPROVER:	Director Lifestyle and Community, Amelia Vellar

COMMUNITY PLAN

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

PURPOSE

This report seeks Council approval for a Community Benefit Scheme (CBS) grant application from a local community organisation.

KEY MESSAGES

- Council provides funding through Community Benefit Scheme (CBS) to eligible community groups and organisations.
- Council has received a grant application for \$7,600 from a local organisation, Riding for the Disabled in the Top End Inc. to improve access to their centre and improve fencing of the outdoor arena.
- Council's *FIN18* policy requires all funding requests in excess of \$2,000 to be referred to Council with a recommendation.
- The report recommends Council approves this request, due to the potential benefits to the wellbeing of the participants, volunteers, staff, horses and wider Palmerston community.

RECOMMENDATION

1. THAT Report entitled Community Benefit Scheme Grant Application - Riding for the Disabled in the Top End Inc. be received and noted.
2. THAT Council approves the 2020/2021 funding application from Riding for the Disabled in the Top End Inc. for \$7,600 to improve access to their centre and improve the outdoor arena, as per the application presented by Riding for the Disabled in the Top End Inc.

BACKGROUND

City of Palmerston provides funding through the Community Benefit Scheme (CBS) to eligible community groups and organisations, by funding activities, projects and services that benefit the Palmerston community.

CBS funding for organisations includes sponsorships, donations and grants, with scholarships and representation support (a specific type of donation) also available to individuals. Representation Support assists sportspeople and members of teams who represent Palmerston while competing or participating in activities, as well as other forms of representation.

Council Policy FIN18 Grants, Donations, Scholarships and Sponsorships provides governance of the Community Benefit Scheme. Clause 4.10.2 of Council's FIN18 policy requires all requests in excess of \$2,000 to be referred by the Chief Executive Officer, to Council with a recommendation.

DISCUSSION

Council has received a grant application from a local organisation, Riding for the Disabled in the Top End Inc., for \$7,600 to improve access to their centre and improve the grounds. As detailed in the application, **Attachment 13.2.2.1** it is proposed that, if successful, the funds will be used to fit the current gate with a solar powered, code-operated electronic lock to facilitate community access and arena hire and refurbish the outdoor arena fencing and gates to increase capacity of the centre both for centre-run lessons and community hire. Suppliers for both services are local businesses.

As per Council Policy *FIN18 Grants, Donations, Scholarships and Sponsorships*, Clause 4.1.1, all requests for grants, donations and sponsorships must benefit the Palmerston Community, and must identify how the proposed activity/event/item relates to one or more of the objectives within the City of Palmerston Community Plan.

Riding for the Disabled in the Top End (RDATE) is a not-for-profit community organisation dedicated to providing opportunities for people of all abilities in the greater Darwin area.

RDATE's equestrian centre is situated on 40 acres in Marlow Lagoon, Palmerston, with a full size, sand -based undercover riding arena. This arena was recently fitted with a dust suppression system to improve rider, volunteer, staff, and horse wellbeing.

RDATE currently have 10 horses individually trained by accredited coaches. Their programs cater for 60 riders with varied abilities, using two accredited coaches and a group of active volunteers. Program participants have diverse abilities and may be challenged by a wide range of issues including intellectual and learning disabilities, Down Syndrome, Autism Spectrum Disorder, Cerebral Palsy, physical impairments, depression, anxiety, and trauma.

The application addresses several areas in the Community Plan, particularly Objectives 1.1: We focus on families; 1.2: The wellbeing of our community is a focus for all of our work and Objective 3.2: Recognise and support diversity through our partnerships and leadership.

Applicants for grants of this value must confirm that 30% of project costs will be contributed by the applicant; RDATE has indicated they are able to do so.

CONSULTATION PROCESS

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

POLICY IMPLICATIONS

Council Policy *FIN 18 Grants, Donations, Scholarships and Sponsorships* provides governance and outlines the support that is available through the Community Benefit Scheme.

BUDGET AND RESOURCE IMPLICATIONS

The Community Benefit Scheme budget for the 2020-2021 financial year is \$130,000. At the time of writing this report \$99,350 has been expended and \$30,650 remains available. Should Council choose to grant approval of this grant request, this will result in a further allocation of \$7,600 from that budget, leaving \$ 23,050 unexpended.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Details the risk any decision made from this report may relate to or explain why there is no risk. What legal information has been sourced to assist with a decision to be made from this report.

This report addresses the following City of Palmerston Strategic Risks:

1 Fails to effectively regain the trust from all stakeholders

Context: Council needs to be credible and trusted by those within and external to the Council.

Council is responsible for the efficient and sustainable management of the Community Benefit Scheme budget. Funding activities or items that are not seen to be benefitting the Palmerston Community may erode trust in Council and its processes. Council mitigates this risk by following the policy relating to eligibility criteria as outlined in its Policy *FIN 18 Grants, Donations, Scholarships and Sponsorships*.

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

Should Council choose to approve this grant request, it would result in installation of a solar powered kit motor to run an electronic lock system; which is an environmentally conscious alternative.

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

1. RDATE Grant application Community Benefit Scheme [13.2.2.1 - 5 pages]



APPLICATION FORM

GRANTS AND DONATIONS

REQUESTS IN EXCESS OF \$2000

Organisation Name: _____

Contact Name: _____

Position of Contact: _____

Telephone: _____ Mobile: _____

Email: _____

Address: _____

Postal Address: _____

Account Name: _____

Account Number: _____ BSB: _____

Amount Requested: _____ ABN: _____

Activity Name: _____ Activity Date: _____

Location of Activity: _____

☐ **Environmental Initiative** (Please tick if this request relates to an Environmental Initiative)

ATTACHED WRITTEN APPLICATION WHICH INCLUDES:

PLEASE ATTACH THE FOLLOWING DOCUMENTATION TO YOUR WRITTEN APPLICATION:

- ☐ Details of project, Detailed project budget, Evidence of alternate sources of funding to a minimum of 30% of project costs.
- ☐ Most recent audited financial statement (If application exceeds \$10,000)
- ☐ Proof of registration as Community, NFP or Incorporated body
- ☐ Contact details of Elected Office Holders
- ☐ Proof of appropriate insurance, certificate of currency
- ☐ Minuted details of your organisation's resolution to request funding

Please see overleaf for further information about Environmental Initiatives

Funding of this proposed activity/event/item will benefit the Palmerston Community, by:

and relates to the following goals and strategies in the City of Palmerston Community Plan:

Signed: _____ Date: _____

PLEASE RETURN COMPLETED FORM WITH ATTACHED APPLICATION TO THE CITY OF PALMERSTON

In Person: Civic Plaza, 1 Chung Wah Terrace, Palmerston

PO Box 1 Palmerston NT 0831

8935 9922

8935 9900

palmerston@palmerston.nt.gov.au

The City of Palmerston complies with the information Privacy Principles contained in the *Information Act* (NT). These principles protect the privacy of personal information collected and held by Council. Council's privacy statement is available from the City of Palmerston, Civic Plaza, 1 Chung Wah Terrace, or via our website on www.palmerston.nt.gov.au.

CITY OF PALMERSTON - GRANTS REQUESTS EXCESS \$2000 APPLICATION / 1



APPLICATION FORM

GRANTS AND DONATIONS

REQUESTS IN EXCESS OF \$2000

ENVIRONMENTAL INITIATIVES

Council will support environmental initiatives up to a cumulative total of \$20,000 per annum, where there is a demonstrated improvement that can be achieved in the environment as a result of the project/initiative. These initiatives may include, but are not limited to:

- Waste reduction strategies (reducing non-recyclables or single use containers)
- Water or energy efficiency opportunities
- Rehabilitation of the environment (native planting/litter collection)

When completing this form about how your activity relates to the City of Palmerston Community Plan, the above examples may be a useful reference.

Grant funding will be available to commercial entities. Funding is allocated on a per Environmental Project/Initiative, per year, subject to 50% of the cost of the project being matched by the applicant.

DECLARATION COMMERCIAL ENTITIES ONLY

I confirm that our organisation will contribute 50% of the total cost of the project specified in accordance with Council Policy *FIN18 – Grants, Donations, Scholarships and Sponsorships, Clause 4.6 – Environmental Initiatives*.


Signed: _____


Date: _____

PLEASE RETURN COMPLETED FORM WITH ATTACHED APPLICATION TO THE CITY OF PALMERSTON

 In Person: Civic Plaza, 1 Chung Wah Terrace, Palmerston

 PO Box 1 Palmerston NT 0831

 8935 9922

 8935 9900

 palmerston@palmerston.nt.gov.au

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CITY OF PALMERSTON - GRANTS REQUESTS EXCESS \$2000 APPLICATION / 2



Riding for the Disabled in the Top End Inc.
PO Box 4185 Palmerston NT -831
(08)8931 0093
admin@rdatopend.org.au

Palmerston City Council Grant Funding Application

Date of application: 4 November 2020
Amount requested: \$7,600
Submit to: palmerston@palmerston.nt.gov.au

Funding of this project will benefit the Palmerston Community, by:

Riding for the Disabled in the Top End (RDATE) is a not for profit community dedicated to providing opportunities for people of all abilities in the greater Darwin area. The centre enables them to participate in equestrian and related activities in a safe and supportive environment, resulting in an improved quality of life, achievement of personal goals and improved life skills. We aim to achieve this through the provision of sporting, recreational, therapeutic and stimulating programs delivered by trained and caring people who are committed to making a difference in the community.

Our program participants have diverse abilities and may be challenged by a wide range of issues including intellectual and learning disabilities, Down Syndrome, Autism Spectrum Disorder, Cerebral Palsy, physical impairments, depression, anxiety and trauma.

Our equestrian centre is situated on 40 acres in Marlow Lagoon, Palmerston, with a full size, sand based undercover riding arena. This arena was recently fitted with a dust suppression system to improve rider, volunteer, staff and horse wellbeing. We currently have 10 horses individually trained by our RDAA and Australian Sports Commission accredited coaches.

Our programs cater for 60 riders with varied abilities using 2 accredited coaches and a group of active volunteers.

The funds will be used to

- Fit current gate with code operated electronic lock to facilitate community access and arena hire (\$4,015, Trojon Contractors, 1/71 McKinnon Road, Pinelands NT)
- Refurbish outdoor arena to increase capacity of the centre both for centre run lessons and community hire (\$6,842, G Lines Construction Pty, 202 Bees Creek NT)

RDATE is also seeking an in kind donation from Palmerston City Council in the form of a blue street sign with our name and logo on the corner of Elrondie Avenue and Catalina Road to direct members of the community to our facilities.

Total \$10,857

These projects will allow us to make the great facilities at our centre accessible to the wider community for hire for a range of activities: group riding sessions, individual riders, workshops and trainings and other community events.

COUNCIL AGENDA

Attachment 13.2.2.1



Riding for the Disabled in the Top End Inc.
PO Box 4185 Palmerston NT -831
(08)8931 0093
admin@rdatopend.org.au

This is in line with the following objective from the 2020-2024 RDATE Strategic Plan (September 2020):

Objective 2: Diversify Income streams to achieve long term financial sustainability.

2.4 Strategy: Increase the income from hiring of facilities to the equestrian, education and entertainment sectors.

A code operated gate provides a safe option to give access to the Palmerston and wider community who want to hire the arena.

The outdoor arena will be available for hire to residents and groups from Palmerston and beyond.

The demand for lessons from riders of all abilities is big and the centre has a substantial waiting list. Potential riders are currently waiting over 12 months to start lessons. The outdoor arena will allow us to double our available lesson capacity and service the community demand.

Funding related to the following goals and strategies in the City of Palmerston Municipal Plan:

1.1 We focus on families

Engaging and fun activities are available for Palmerston's families.

1.2 The wellbeing of our community is a focus for all of our work

Council has strong partnerships and works in collaboration with those who provide services to the community to better coordinate the delivery and effectiveness of these services.

Our volunteers are valued and supported for the important work they undertake for our community.

RDA Top End's programs offer engaging and fun activities for families and all types of people: riding lessons, horse grooming activities, volunteer opportunities, vacation programs and a community open day.

The activities at our centre contribute to fostering community wellbeing and encourage participation in community activities such as sport and active recreation in the Palmerston Community.

Proof of registration as Community, NFP or Incorporated body:

As per attached pdf document.

Contact details of Elected Office Holders:

- Racheal Bowker, Vice President, Currently interim President, mobile 0409 522 773, email president@rdatopend.org.au
- Kyra Allen, Public Officer, email admin@rdatopend.org.au
- Jo Denny, Treasurer, mobile 0407 104 093, email joanne.denny@khhb.com.au

COUNCIL AGENDA

Attachment 13.2.2.1



Riding for the Disabled in the Top End Inc.
PO Box 4185 Palmerston NT -831
(08)8931 0093
admin@rdatopend.org.au

- Kim Loveday, Secretary, kimloveday@hotmail.com

Proof of appropriate insurance, certificate of currency:

As per attached pdf document

Minuted details of your organisation's resolution to request funding

Minutes Committee Meeting 4 August 2020 attached, signed version upon request from Rachael Bowker president@rdatopend.org.au

2.1 Action review list

#4 Palmerston council grants – committee discussed need to fix gate and railing on arena if it is to be fit for purpose to hire out and generate income. Kyra has obtained quotes for gate and outdoor arena. Committee agreed Palmerston council grant to be applied for, for these items.

ACTION: Tania to apply for Palmerston city council grant for gate and arena railing.

Proof of ability to contribute 30% of the project costs

Financial Report attached.

RDATE was the recipient of a \$10,000 grant from the Darwin Turf Club at the 2020 Gala Ball. Part of this grant was used to purchase a new horse, the rest will be going towards the project outlined in this application.



Tania Lesneuck

RDATE Committee Member, Fundraising

0424884125

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM: 13.2.3
REPORT TITLE: Appointment of Deputy Mayor
MEETING DATE: Tuesday 16 March 2021
AUTHOR: Executive Support Officer, Ashlee Gaddes
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 to appoint a Deputy Mayor from 25 March 2021 to the end of the Ninth Council Term.

KEY MESSAGES

- Council Policy *Appointment of Deputy Mayor* sets out Council's process for appointment, role, and allowance for a Deputy Mayor.
- The current Deputy Mayor appointment is due to expire on 24 March 2021 and it is being recommended for Council to determine its next appointment.
- It is acknowledged that the Mayor will at times not be available to perform duties, and the Deputy Mayor will be required to act in the position.
- It is acknowledged that the role of Deputy Mayor is appointed to the following Committees Chief Executive Officer Performance Appraisal Committee, Palmerston Day Awards Selection Panel and alternative delegate for Top End Regional Organisation of Council (TOPROC).
- The Deputy Mayor may be involved in Media opportunities that other candidates may not receive.
- This will be the final appointment of Deputy Mayor for the Ninth Council Term.
- Nominations for the Deputy Mayor will be sought by a show of hands, unless otherwise determined by Council, in accordance with City of Palmerston *Appointment of Deputy Mayor Policy*.

RECOMMENDATION

1. THAT Report entitled Appointment of Deputy Mayor be received and noted.
2. THAT Council appoints _____ as Deputy Mayor in accordance with Council Policy *Appointment of Deputy Mayor* commencing 25 March 2021 until the declaration result of the 2021 Local Government Elections.

BACKGROUND

Since the election of its ninth Council Term, the following appointments have been made:

Elected Member	Appointment Date
Deputy Mayor Hale	18 April 2018 to 18 September 2018
Deputy Mayor Spick	19 September 2018 to 19 February 2019
Deputy Mayor Henderson	20 February 2019 to 20 July 2019

Deputy Mayor Giesecke	21 July 2019 to 21 December 2019
Deputy Mayor Morrison	22 December 2019 to 22 May 2020
Deputy Mayor Garden	23 May to 23 October 2020
Deputy Mayor Lewis	24 October 2020 to 24 March 2021

At the Ordinary Council Meeting held on 1 September 2020, Council resolved to appoint Alderman Lewis as the Deputy Mayor commencing 24 October 2020 to 24 March 2021 (inclusive). This period is now nearing completion.

DISCUSSION

Each Elected Member has now acted in the role of Deputy Mayor and direction from Council on appointment of an Elected Member who will act in the role for the remainder of the Ninth Council Term is required.

Any Alderman can nominate for the position, and nominations will be sought by a show of hands unless otherwise determined by Council.

City of Palmerston *Appointment of Deputy Mayor Policy* states the following:

4.1 Appointment of Deputy Mayor

- 4.1.1. *Council has resolved to appoint a Deputy Mayor to act in the role as Mayor when the Mayor is absent from duties.*
- 4.1.2. *The term of office for Deputy Mayor is five months, with the incumbent eligible to renominate.*
- 4.1.3. *Appointment will be conducted at an Ordinary Council Meeting, prior to the expiry of the current term.*
- 4.1.4. *Nominations for the Deputy Mayor will be sought by a show of hands, unless otherwise determined by Council.*
- 4.1.5. *It is not a conflict of interest for a Member to vote for themselves.*
- 4.1.6. *Any appointment as Deputy Mayor will expire at the end of the Council term.*

It should be noted the next term will continue through until the declaration of polls of the 2021 Local Government Election.

Council should note that this period will include Council's Caretaker period which will commence from the nomination day being 16 July 2021 end once the election is declared.

Council needs to nominate an Alderman as Deputy Mayor for the period commencing 25 March 2020 until the declaration of the election.

Elected Member's should also consider the Deputy Mayor is appointed to the following Committees:

- Chief Executive Officer Performance Appraisal Committee
- Palmerston Day Awards Selection Panel
- Top End Regional Organisation of Council (TOPROC), Alternate Delegate

CONSULTATION PROCESS

The appointment of a new Deputy Mayor will be communicated to the community following this appointment.

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

- Governance Lead

- Executive Assistant to the Deputy CEO/Director of Community and Lifestyle

POLICY IMPLICATIONS

Appointment of the Deputy Mayor is in accordance with Council Policy *Appointment of Deputy Mayor*.

The final term of Deputy Mayor will continue through Council's Caretaker Period up until the declaration of the 2021 Local Government Election. Elected Members are encouraged to familiarise themselves with the following Council Policies:

- *Caretaker Policy*
- *Media Policy*

BUDGET AND RESOURCE IMPLICATIONS

The Deputy Mayor receives an additional allowance to that of an Alderman; however, is not entitled to claim the extra meeting allowance funding for this has been incorporated in the approved 2020/2021 Budget.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

It should be noted Council's Caretaker period will commence on Friday 16 July 2021 and continue through to the declaration of result. During this time designated decisions are prohibited from being made directly by Council or indirectly through the Chief Executive Officer.

Elected Members should also be conscious of Elected Member Activities during this period as set out in Council Policy *Caretaker*.

This report addresses the following City of Palmerston Strategic Risks:

7 Fails to be agile to respond to growth opportunities

Context: Ensuring the organisation is positioned to respond quickly to take up opportunities for growth both internally and externally.

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

Nil

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.2.4
REPORT TITLE:	Council Policy Review - AD06 Open Data
MEETING DATE:	Tuesday 16 March 2021
AUTHOR:	Information and Technology Manager, Glen Collins
APPROVER:	Director Organisational Services, Silke Maynard

COMMUNITY PLAN

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

PURPOSE

This report seeks Council's endorsement for the recommended changes to Council Policy *Open Data*.

KEY MESSAGES

- Council's current *AD06 Open Data* Policy is due for review.
- Council's *Open Data Hub* was published recently reinforcing the importance of a review of the *AD06 Open Data* Policy.
- Policy *AD06 Open Data* outlines the process for Council to manage the release of data. The Policy has been amended to emphasise the openness and transparency of Council's approach to open data whilst maintaining security and privacy.
- The Policy wording has been amended to recognise that Council open data can and will be accessed by individuals and industry outside of the Palmerston community.

RECOMMENDATION

1. THAT Report entitled Council Policy Review - AD06 Open Data be received and noted.
2. THAT Council endorse the amended Policy *Open Data* presented as **Attachment 13.2.4.3** to this report entitled Council Policy Review - AD06 Open Data .

BACKGROUND

City of Palmerston has a policy review schedule in place for all Council policies, all policies must be reviewed at least once in the term of Council.

A review of Council Policy *AD06 Open Data* was scheduled for 1 January 2020, however the review was delayed, still meeting the requirements of one review per Council term.

Council's current *AD06 Open Data* Policy, as presented as **Attachment 13.2.4.1** to report entitled Council Policy Review - AD06 Open Data was adopted by Council on 12 December 2017.

At the 1st Ordinary Council Meeting of 12 December 2017 Council made the following decisions:

Open Data Policy

1. THAT Council adopts AD06 Open Data Policy for the purposes of public consultation.
2. THAT AD06 Open Data Policy is publicly advertised for 21 days in accordance with the Council's COMM03 Community Consultation Policy.

CARRIED 8/2974 – 12/12/2017

DISCUSSION

Council Policy *Open Data*, is designed to establish a process across Council for the effective sharing of non-sensitive information and data to third parties, promoting transparency, accountability, and community engagement.

Council policies should provide value adding objectives designed by Council in addition to legislation and guidelines without being overly prescriptive and procedural.

The *Open Data* Policy review took on additional importance with Council's *Open Data Hub* being published recently.

Council Policy *Open Data* has been reviewed internally, and the Policy has been amended to emphasise the openness and transparency of Council's approach to open data whilst still holding the security and privacy of our stakeholders as the priority.

The key changes are:

- Corrected the hosting location of the publicly available datasets to www.palmerston.nt.gov.au/operations/open-data-hub;
- Inclusion of clause allowing Council to reserve the right to charge a fee where necessary on additional requests;
- Council takes responsibility to correct and update all data that it publishes;
- Amendment of wording to 'third parties' in place of 'residents, developers, ICT industry, government bodies and business associations';
- Removal of references to the Council's *Digital Strategy 2018-2021* due to it being a strategic document; requiring review;
- Removal of reference to 'draft an Open Data Procedure in conjunction with the Office of the Northern Territory Information Commissioner' as this is not required;
- Removal of 'Potential datasets' as Council's Open Data portal is now publicly accessible; and
- Amendment of the point of contact from Chief Executive Officer to Council and the published online form.

CONSULTATION PROCESS

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

- City Assets Team

POLICY IMPLICATIONS

If Council endorses the amendments, presented as **Attachment 13.2.4.3 to report** entitled Council Policy Review - AD06 Open Data , this will become the renewed Policy of Council.

BUDGET AND RESOURCE IMPLICATIONS

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

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This report addresses the following City of Palmerston Strategic Risks:

- 4 Fails to effectively design and implement contemporary governance practices
Context: Strong foundations to hold the Council and Administration to account with clear and transparent performance reporting.

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

1. AD06 Open Data Policy [13.2.4.1 - 2 pages]
2. Open Data Policy Tracked [13.2.4.2 - 3 pages]
3. Open Data Policy Clean [13.2.4.3 - 2 pages]

AD06

Name:	Open Data		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director Corporate Services		
Approval Date:	20/02/2018	Next Review Date:	1/01/2020
Records Number:	356375	Decision Number:	8/3030

1 PURPOSE

Council is committed to open government and transparency. This policy outlines how Council will manage the release of data.

2 PRINCIPLES

The Open Data principles that Council supports are:

- Council recognises that all data is “public” and made available for release, unless it has the potential to identify individuals or is otherwise restricted under legislation, including the *Information Act*.
- Wherever possible, Council will provide information at no cost using www.data.gov.au as the preferred platform for online release.
- Council will not pre-define the value of data and withhold data that it does not believe would be of use to others. The public, industry and businesses may value Council’s data differently, so Council will provide as much data as possible.
- Council will share information with other government or open data agencies unless otherwise restricted under legislation.
- Council commits to maintaining accurate and reliable datasets and repairing errors when identified, however notes that some information may have been provided by third parties and therefore Council cannot not guarantee its accuracy.
- Council will seek Open Data partnerships that have a direct benefit for the community of Palmerston

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Term	Definition
Open Data	Open data is data which is: <ul style="list-style-type: none"> ▪ freely available to anyone to be used, reused and redistributed; ▪ available in a machine readable format, such as a CSV or an API; and ▪ available under an open licence, such as Creative Commons.

4 POLICY STATEMENT

4.1 Rationale

As part of Council’s *Digital Strategy 2018-2021*, Council commits to making available datasets to provide residents, developers, the ICT industry, government bodies and business associations with an easy way to find; access and reuse Council’s public data. Embracing the use of, and a policy around, open data is an essential element to building transparency and providing opportunities for the use of Council held data to make the Palmerston community

AD06

more self-sufficient by creating local jobs. Open data can also support Council in the cost-effective delivery of services, its ability to be responsive to the needs of the community and to build awareness and engagement with industry.

Council will identify ways to publicly share and promote opportunities for the use of Council data. This will be done in a way that respects the privacy of individuals. Council values the privacy of individuals and will honour its legislative obligations under the *Information Act* by removing identifiable categories, appropriately aggregating data and ensuring that data is approved and checked before release. Council will also draft an Open Data Procedure in conjunction with the Office of the Northern Territory Information Commissioner.

4.2 Identification of Data

Council will identify ways to publicly share data and promote opportunities for the use of Council data. All staff are committed to actively seeking and recommending opportunities for releasing data. Data sets will be made available externally, however as recommended in the *Digital Strategy 2018-2021*, Council will also maintain and update a central internal data repository as the source of datasets.

Potential datasets could cover areas such as:

- Park management
- Stormwater Network
- Community facilities
- Road network
- Library management
- Carparking
- Public wi-fi analytics; and
- Administrative

This is not a restrictive list and Council invites potential users of data to make a request for datasets not yet available.

4.3 Engagement with Dataset Users

Council will make data available through its preferred platform www.data.gov.au and geospatial datasets will also be available through the National Maps Service at www.nationalmap.gov.au. Each dataset release will contain details on licensing, publication date, update frequency and provide a contact point within Council for further enquiries. Council commits to updating all data at least annually, however will consider updating datasets more regularly upon request.

Council invites residents, developers, the ICT industry, government bodies and business associations to make requests for dataset release and update. These requests should be made to Council's Chief Executive Officer in writing or by email, detailing the information requested, relevant time periods, update frequency and any other information that Council may need to fully respond.

5 ASSOCIATED DOCUMENTS

- 5.1 City of Palmerston Digital Strategy 2018-2021

6 REFERENCES AND RELATED LEGISLATION

- 6.1 *Information Act*

AD06 Open Data

Name:	Open Data		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director Corporate Services Director Organisational Services		
Approval Date:	20/02/2018 16/03/2021	Next Review Date:	1/01/2020 01/03/2022
Records Number:	356375	Decision Number:	8/3030

1 PURPOSE

Council is committed to open government and transparency. This policy outlines how Council will manage the release of ~~data: non-sensitive information and data to third parties.~~

2 PRINCIPLES

The Open Data principles that Council supports are:

- ~~• Council recognises that all data is “public” and supports openness and transparency in the release of information where there is no legal need to protect the information.~~
- ~~• Council recognises that all data is “public” and made available for release, unless it has the potential to identify individuals or is otherwise restricted under legislation, including the Information Act.~~
- Wherever possible, Council will provide information at no cost using www.palmerston.nt.gov.au/operations/open-data-hub ~~www.data.gov.au~~ as the preferred platform for online release. ~~Council reserves the right however to charge fees and charges for the provision of information or data that is individually requested, specific in nature or requires Council resources to provide.~~
- Council will not pre-define the value of data and withhold data that it does not believe would be of use to others. ~~The public, industry and businesses may value Council's data differently, so Council will provide as much data as possible.~~
- Council will share information with other government or open data agencies unless otherwise restricted under legislation.
- Council commits to maintaining accurate and reliable datasets and repairing errors when identified, ~~however notes that some information may have been provided by third parties and therefore Council cannot not guarantee its accuracy.~~
- Council will seek Open Data partnerships that have a direct benefit for the community of Palmerston.

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Term	Definition
Open Data	Open data is data which is: <ul style="list-style-type: none"> freely available to anyone to be used, reused and redistributed; available in a machine readable format, such as a CSV or an API; and available under an open licence, such as Creative Commons.

AD06 Open Data

4 POLICY STATEMENT

4.1 Rationale

~~As part of Council's Digital Strategy 2018-2021,~~ Council commits to making available datasets to provide ~~residents, developers, the ICT industry, government bodies and business associations~~ third parties with an easy way to find, access and reuse Council's public data. Embracing the use of, and a policy around, open data is an essential element to building transparency and providing opportunities for the use of Council held data to make the Palmerston community more self-sufficient by creating local jobs. Open data can also support Council in the cost-effective delivery of services, its ability to be responsive to the needs of the community and to build awareness and engagement with industry.

~~Council will identify ways to publicly share and promote opportunities for the use of Council data. This will be done in a way that respects the privacy of individuals. Council values the privacy of individuals and will honour its legislative obligations under the Information Act by removing identifiable categories, appropriately aggregating data and ensuring that data is approved and checked before release. Council will also draft an Open Data Procedure in conjunction with the Office of the Northern Territory Information Commissioner.~~

4.2 Identification of Data

Council will identify ways to publicly share data and promote opportunities for the use of Council data. ~~All staff are committed to actively seeking and recommending opportunities for releasing data.~~ Council values the privacy of individuals and will honour its legislative obligations, appropriately aggregating data and ensuring that data is approved and checked before release. Data sets will be made available externally, ~~however as recommended in the Digital Strategy 2018-2021, Council will also maintain and update a central internal data repository as the source of datasets.~~

~~Potential datasets could cover areas such as:~~

- ~~• Park management~~
- ~~• Stormwater Network~~
- ~~• Community facilities~~
- ~~• Road network~~
- ~~• Library management~~
- ~~• Carparking~~
- ~~• Public wi-fi analytics; and~~
- ~~• Administrative~~

~~This is not a restrictive list and Council invites potential users of data to make a request for datasets not yet available.~~

4.3 Engagement with Dataset Users

Council will make data available through its preferred platform www.palmerston.nt.gov.au/operations/open-data-hub ~~www.data.gov.au~~ and ~~geospatial datasets will also be available through the National Maps Service at www.nationalmap.gov.au.~~ Each dataset release will contain details on licensing and publication date, ~~update frequency and provide a contact point within Council for further~~

AD06 Open Data

~~enquiries. Council commits to updating all data at least annually, however will consider updating datasets more regularly upon request.~~

~~Council invites provides an avenue for residents, developers, the ICT industry, government bodies and business associations third parties to make requests for dataset release and update and provide feedback through its online form at www.palmerston.nt.gov.au/operations/open-data-hub or by contacting Council directly. These requests should be made to Council's Chief Executive Officer in writing or by email, detailing the information requested, relevant time periods, update frequency and any other information that Council may need to fully respond.~~

5 ASSOCIATED DOCUMENTS

~~5.1 City of Palmerston Digital Strategy 2018-2024~~ 5.1 [Privacy Policy](#)

6 REFERENCES AND RELATED LEGISLATION

6.1 [Northern Territory Local Government Act 2019 \(NT\)](#)

6.2 [Information Act 2002 \(NT\)](#)†

6.2 [The Office of the Australian Information Commissioner \(OAIC\)](#)

Open Data

Name:	Open Data		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director Organisational Services		
Approval Date:	16/03/2021	Next Review Date:	1/03/2022
Records Number:	356375	Decision Number:	8/3030

1 PURPOSE

Council is committed to open government and transparency. This policy outlines how Council will manage the release of non-sensitive information and data to third parties.

2 PRINCIPLES

The Open Data principles that Council supports are:

- Council recognises that all data is “public” and supports openness and transparency in the release of information where there is no legal need to protect the information.
- Wherever possible, Council will provide information at no cost using www.palmerston.nt.gov.au/operations/open-data-hub as the preferred platform for online release. Council reserves the right however to charge fees and charges for the provision of information or data that is individually requested, specific in nature or requires Council resources to provide.
- Council will not pre-define the value of data and withhold data that it does not believe would be of use to others.
- Council will share information with other government or open data agencies unless otherwise restricted under legislation.
- Council commits to maintaining accurate and reliable datasets and repairing errors when identified.
- Council will seek Open Data partnerships that have a direct benefit for the community of Palmerston.

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Term	Definition
Open Data	Open data is data which is: <ul style="list-style-type: none"> ▪ freely available to anyone to be used, reused and redistributed; ▪ available in a machine readable format, such as a CSV or an API; and ▪ available under an open licence, such as Creative Commons.

4 POLICY STATEMENT

4.1 Rationale

Council commits to making available datasets to provide third parties with an easy way to find, access and reuse Council's public data. Embracing the use of, and a policy around, open data is an essential element to building transparency and providing opportunities for the use of Council held data to make the Palmerston community more self-sufficient by creating local jobs. Open data can also support Council in the cost-effective delivery of services, its

Open Data

ability to be responsive to the needs of the community and to build awareness and engagement with industry.

4.2 Identification of Data

Council will identify ways to publicly share data and promote opportunities for the use of Council data. Council values the privacy of individuals and will honour its legislative obligations, appropriately aggregating data and ensuring that data is approved and checked before release. Data sets will be made available externally.

4.3 Engagement with Dataset Users

Council will make data available through its preferred platform www.palmerston.nt.gov.au/operations/open-data-hub. Each dataset release will contain details on licensing and publication date. Council provides an avenue for third parties to make requests and provide feedback through its online form at www.palmerston.nt.gov.au/operations/open-data-hub or by contacting Council directly.

5 ASSOCIATED DOCUMENTS

- 5.1 Privacy Policy

6 REFERENCES AND RELATED LEGISLATION

- 6.1 *Northern Territory Local Government Act*
- 6.2 *Information Act 2002 (NT)*
- 6.2 *The Office of the Australian Information Commissioner (OAIC)*

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.2.5
REPORT TITLE:	Council Policy Review - Media
MEETING DATE:	Tuesday 16 March 2021
AUTHOR:	Deputy Chief Executive Officer, Amelia Vellar
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's approval for changes to Council Policy *Media* following a review of the Policy.

KEY MESSAGES

- As part of Council's review of all its policies within its term, Council Policy *Media* has been reviewed and changes are being recommended.
- The policy is designed to establish a framework across Council governing interaction with media to best ensure consistent, accurate messaging, brand recognition and improving the reputation of City of Palmerston.
- This policy outlines the protocols governing and guiding Elected Members and staff when interacting with media agencies and using social media.
- Minor changes to the existing policy include expanding on the functions of the Communications and Media Team, grammatical and formatting changes, additional clarification around spokespersons for Council and guidance on speaking at public events.

RECOMMENDATION

1. THAT Report entitled Council Policy Review - Media be received and noted.
2. THAT Council endorses the amended Council Policy *Media* being **Attachment 13.2.5.3**, to report entitled Council Policy Review - Media.

BACKGROUND

City of Palmerston has a policy review schedule in place for all Council policies whereby all policies must be reviewed at least once in the term of Council.

A review of Council Policy *AD02 Media* was scheduled for 1 January 2020, however the review was delayed as the Communications function for Council was designed.

Policy *AD02 Media*, was last reviewed and replaced with a new policy, (being the existing policy) on 20 February 2018. **Attachment 13.2.5.1.**

DISCUSSION

Council Policy *Media*, is designed to establish a framework across Council governing interaction with media to best ensure consistent, accurate messaging, brand recognition and improving the reputation of City of Palmerston.

Council policies should provide value adding objectives designed by Council in addition to legislation and guidelines without being overly prescriptive and procedural.

A review of this policy has been undertaken and includes the following clarifications:

- Inclusion of 'Communications and Media Team' (previously Communications Officer/team).
- Amendment of item 4.3.3 to clearly outline that when Elected Members are approached directly by media regarding City of Palmerston operations, they should contact the Chief Executive Officer to determine the appropriate spokesperson in the first instance.
- Inclusion of 'comment' when referring to social media use via personal pages as in item 4.3.5.
- Guidance on speaking at public events for both Elected Members and staff as in item.

The amended policy recommending such changes, is **Attachment 13.2.5.3**.

Underpinning this policy, operationally the Communications and Media team has procedures and processes to ensure the policy is followed.

CONSULTATION PROCESS

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

Due to the minor changes made to the existing policy, community consultation is not recommended.

POLICY IMPLICATIONS

If the proposed Council Policy *Media* is adopted, it will replace the current version as presented at **Attachment 13.2.5.1** to report entitled Council Policy Review - Media. Internal documents and workshops will further assist staff and Elected Members when using social media platforms and speaking with the media.

BUDGET AND RESOURCE IMPLICATIONS

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

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

The *Local Government Act* states the Mayor is the nominated spokesperson, to speak on behalf of the council as the council's principal representative.

This report addresses the following City of Palmerston Strategic Risks:

- 1 Fails to effectively regain the trust from all stakeholders.

Context: Council needs to be credible and trusted by those within and external to the Council.

Through compliance with the policy and through internal social media guidelines, reputational risks can be mitigated. By providing consistent, timely and accurate communication with the media and through social media channels, Council will continue to build its brand recognition and credibility with stakeholders.

City of Palmerston has a policy review schedule in place for all Council policies whereby all policies must be reviewed at least once in the term of Council.

Although this policy was due for review on 1 January 2020, Council is required to review all its policies within its term, therefore this complies with the legislation.

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

1. Media Policy AD02 [**13.2.5.1** - 3 pages]
2. Media Policy A D 02 Tracked [**13.2.5.2** - 4 pages]
3. Media Policy A D 02 Clean [**13.2.5.3** - 3 pages]



POLICY

AD02

Name:	Media		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director Corporate Services		
Approval Date:	20/02/2018	Next Review Date:	1/01/2020
Records Number:	365872	Council Decision:	8/3030

1 PURPOSE

This policy outlines the protocols and procedures governing and guiding City of Palmerston staff and elected members' interaction with media agencies and use of social media. The policy is designed to establish a framework across Council governing interaction with media to best ensure consistent messaging and brand recognition and reputation.

2 PRINCIPLES

The purpose of any media interaction is to inform and/or educate City of Palmerston stakeholders and the community about Council policies, positions on issues, decisions, upcoming and unfolding events. At all times media interaction should be utilised to positively enhance the Council's reputation and public standing.

The Mayor is the principal spokesperson for the City of Palmerston. Other Elected Members or staff may be spokespersons as appropriate. Views expressed by Elected Members should be clearly identified as either personal or professional and must always endeavour to promote the interests of the municipality and raise awareness and understanding of community issues.

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Term	Definition
Elected Members	All Elected officials including the Mayor.
Media	Various means of communication through which news, entertainment, education, data or promotional messages are disseminated. These platforms can include television, radio, newspapers and magazines but are distinct from social media.
Personal Social Media Communications	Exchange of user generated content on social media platforms held by individuals including employees for private purposes. Social media may include but is not limited to social networking sites, chatrooms, media sharing sites, blogs, forum and online collaboration. This can also include accounts not titled with the name of the individual.

4 POLICY STATEMENT

4.1 Council Media Protocol

The Communications Officer will be, in so far as possible, the first contact point to liaise with media, provide information and arrange for the preparation of media releases and briefings prior to interviews.

4.1.1 A decision on whether the issue should be addressed by an Elected Member or Staff would be made in the first instance by the CEO in conjunction with the Mayor.



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AD02

4.2 Staff Dealing with Media

- 4.2.1 No City of Palmerston staff member is authorised to speak to the media on any Council issue without the prior approval of the Chief Executive Officer. This includes personal social media communications which directly relate to issues arising from operations at the City of Palmerston.
- 4.2.2 Any personal use of social media should not imply the user is an authorised representative of City of Palmerston, contain use of a City of Palmerston email address, any City of Palmerston logos or insignia or use or disclose Council information that is confidential or private.
- 4.2.3 On occasions it is appropriate for staff to talk to the media instead of an Elected Member, the Chief Executive Officer will have the authority to designate City of Palmerston staff to become a spokesperson.
- 4.2.4 City of Palmerston Council staff, including those in the Communications Team, must not engage in any media activity which is deemed by the Chief Executive Officer to be specifically for the personal advantage of any Elected Member.

4.3 Elected Members Dealing with Media

- 4.3.1 Elected Members are entitled at any time to attract media attention for themselves. They are encouraged to inform the Chief Executive Officer out of professional courtesy solely to confirm any factual matters concerning the City of Palmerston as they may relate to the media opportunity.
- 4.3.2 Elected Members should also ensure that when they are seeking to gain media attention for themselves that they make it clear that they are speaking for themselves and not on behalf of the City of Palmerston Council.
- 4.3.3 When Elected Members are approached directly by media to comment on any issue to do with City of Palmerston operations they are encouraged in the first instance to contact the Chief Executive Officer solely to ensure that they are briefed with all relevant and accurate information before releasing any details to the media.
- 4.3.4 Elected Members are entitled to indicate that they are Elected Members of the City of Palmerston Council and are encouraged to use social media to communicate with the community. To ensure distinction between personal and Council use, Elected Members are encouraged to establish pages that identify them as Elected Members separate from private accounts, however it should be clear that the opinions expressed are those of the Elected Member and not those of Council.
- 4.3.5 It is not suggested that Elected Members who post on personal pages should contact the Chief Executive Officer, however, if posts relate to operational matters or decisions of Council, it should be clear that the opinions expressed are those of the Elected Member and the comments are not being made on behalf of Council.
- 4.3.6 When Elected Members are posting on social media regarding Council matters they are encouraged to contact the Chief Executive Officer prior. This will help ensure that all information going out regarding both operational matters and Council decisions is correct at the time of posting.

4.4 Media Releases

- 4.4.1 All Council media releases must only be released to the media from the Communications Team or Chief Executive Officer's office.
- 4.4.2 All media releases will be provided to Elected Members when being released to the media.
- 4.4.3 Elected Members are entitled to distribute their own media releases; however they must



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clearly indicate these releases are the opinions or beliefs of the individual Elected Member and are not being made on behalf of Council.

5 ASSOCIATED DOCUMENTS

5.1 EM04 Caretaker Policy

6 REFERENCES AND RELATED LEGISLATION



POLICY

AD02

Name:	Media		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director Corporate Services Director Lifestyle and Community Deputy Chief Executive Officer		
Approval Date:	20/02/2018	Next Review Date:	1/01/2020 1/01/2024
Records Number:	365872	Council Decision:	8/3030

1 PURPOSE

This policy outlines the protocols and procedures governing and guiding City of Palmerston ~~staff and Elected Members' and staff~~ interaction with media agencies and use of social media. The policy is designed to establish a framework across Council governing interaction with media to best ensure consistent, accurate messaging, ~~and~~ brand recognition and improving the reputation of City of Palmerston.

2 PRINCIPLES

Media relations is an effective tool for communicating Council's. The purpose of any media interaction is to inform and/or educate City of Palmerston stakeholders and the community about Council policies, projects, positions on issues, decisions and upcoming and unfolding events. It is important that Council engages with the media to keep the community accurately informed of Council initiatives. At all times, media interaction should be utilised to share information and -positively enhance the Council's reputation and public standing.

The Mayor is the principal spokesperson for ~~the~~ City of Palmerston as per section 59 in the Local Government Act. The Mayor's public comments must reflect the decision made by Council regardless of their own personal views on the matter in question.

Other Elected Members or staff may be spokespersons as appropriate, for example as the Deputy Mayor with the consent of the Mayor. The Chief Executive Officer is the nominated spokesperson for the administrative and operational matters and may nominate other staff as spokespersons as appropriate.

Views expressed by Elected Members via their personal social media accounts or otherwise should be clearly identified as either personal or professional and must always endeavour to promote the interests of the municipality, ~~and raise awareness and understanding of community issues.~~

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Term	Definition
Elected Members	All Elected officials including the Mayor.
Media	Various means of communication through which news, entertainment, education, data or promotional messages are disseminated. These platforms can include television, radio, newspapers, and magazines <u>and social media pages. but are distinct from social media.</u>
<u>Social Media</u>	<u>Social media may include but is not limited to social networking sites, chatrooms, media sharing sites, blogs, forum and online</u>



POLICY

AD02

	<u>collaboration. This can also include accounts not titled with the name of the individual.</u>
Personal Social Media Communications	<u>Exchange of user generated content on social media platforms held by individuals including employees for private purposes. Social media may include but is not limited to social networking sites, chatrooms, media sharing sites, blogs, forum and online collaboration. This can also include accounts not titled with the name of the individual.</u>
<u>Speaking at Public Events</u>	<u>Any comment made during a public engagement by an Elected Member or staff such as conferences, seminars and public forums.</u>

4 POLICY STATEMENT

4.1. 4.1 Council Media Protocol

The Communications ~~Officer and Media Team is~~ will be, in so far as possible, the first contact point to liaise with media. This ensures that City of Palmerston is able to monitor and respond to issues and maintain a professional image. ~~The Communications and Media Team can provide guidance on, and coordinate, written and verbal -media statements including proactive media releases information and arrange for the preparation of media releases and briefings prior to assist in preparing the nominated spokesperson for interviews with the media where required.~~

4.1.1. A decision on whether the issue should be addressed by an Elected Member or ~~s~~Staff will ~~not~~ be made in the first instance by the Chief Executive Officer in conjunction with the Mayor.

4.2. 4.3 Elected Members Dealing with Media

4.2.1.

4.2.1. 4.3.1 Elected Members are entitled, at any time, to attract media attention for themselves. They are encouraged to inform the Chief Executive Officer out of professional courtesy solely to confirm any factual matters concerning the City of Palmerston as they may relate to the media opportunity.

4.2.2. Elected Members should also ensure that when they are seeking to gain media attention for themselves that they make it clear that they are speaking for themselves and not on behalf of the City of Palmerston Council.

4.2.3. When Elected Members are approached directly by media to comment on any issue regarding City of Palmerston operations, they must contact the Chief Executive Officer to determine the appropriate spokesperson. If not done so, this could be a breach of the Code of Conduct for Elected Members dependant on the nature of the request. This process is in place to protect the reputation of Council and the Elected Member.

4.2.4. Elected Members are entitled to indicate that they are Elected Members of the City of Palmerston Council and are encouraged to use social media to communicate with the community. To ensure distinction between personal and Council use, Elected Members are encouraged to establish pages that identify them as Elected Members separate from private accounts, however it should be clear that the opinions expressed are those of the Elected Member and not those of Council.

4.2.5. It is not suggested that Elected Members who post or comment via personal pages should contact the Chief Executive Officer however, if posts relate to operational matters or decisions of Council, it should be clear that the opinions expressed are



POLICY

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those of the Elected Member and the comments are not being made on behalf of Council.

4.2.6. When Elected Members are posting on social media regarding Council matters, they are encouraged to contact the Chief Executive Officer prior for information or share posts from City of Palmerston's social media pages. This will help to ensure that all information is correct at the time of posting.

4.3. Elected Members Speaking at Public Events

4.3.1. Elected Members wishing to speak at community meetings or conferences on Council matters may do so at the discretion of the Mayor (as the principal spokesperson).

4.3.2. Elected Members must represent the decisions of Council and not express their own personal opinions on issues when acting as the spokesperson of Council.

4.2.4.4. Staff Dealing with Media

4.4.1. No City of Palmerston staff member is authorised to speak to the media on any Council issue without the prior approval of the Chief Executive Officer. ~~This includes personal social media communications which directly relate to issues arising from operations at the City of Palmerston.~~

4.4.2. The Communications and Media Team in consultation with the appropriate staff, will determine an appropriate method and level of response to the media request.

4.4.3. As per the City of Palmerston Code of Conduct, any personal use of social media should not imply the user is an authorised representative of City of Palmerston, contain use of a City of Palmerston email address, any City of Palmerston logos or insignia or use or disclose Council information that is confidential or private.

4.4.4. Staff using personal social media accounts are not authorised to comment on matters which directly relate to issues arising from operations at the City of Palmerston.

4.4.5. On occasion, it is appropriate for staff to talk to the media instead of an Elected Member ~~whereby~~, the Chief Executive Officer will have the authority to designate City of Palmerston staff to become spokesperson.

4.4.6. City of Palmerston Council staff, including those in the Communications ~~and~~ Media Team, must not engage in any media activity which is deemed by the Chief Executive Officer to be specifically for the personal advantage of any Elected Member.

4.5. Staff Speaking at Public Events

4.5.1. Council staff planning to speak at community meetings or conferences as a Council representative must first obtain approval from the Chief Executive Officer,

4.5.2. Council staff who have been approved to speak at community meetings or conferences must keep commentary within their area of expertise and preserve the non-political nature of Council.

4.5.3. If staff are approached by media at a public event, they must first contact the Communications and Media Team who will progress the media enquiry to the appropriate person/team as per item- 4.4 of this Policy.

4.3 Elected Members Dealing with Media

~~4.3.1 Elected Members are entitled at any time to attract media attention for~~

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themselves. They are encouraged to inform the Chief Executive Officer out of professional courtesy solely to confirm any factual matters concerning the City of Palmerston as they may relate to the media opportunity.

4.3.2 Elected Members should also ensure that when they are seeking to gain media attention for themselves that they make it clear that they are speaking for themselves and not on behalf of the City of Palmerston Council.

4.3.3 When Elected Members are approached directly by media to comment on any issue to do with City of Palmerston operations they are encouraged in the first instance to contact the Chief Executive Officer solely to ensure that they are briefed with all relevant and accurate information before releasing any details to the media.

4.3.4 Elected Members are entitled to indicate that they are Elected Members of the City of Palmerston Council and are encouraged to use social media to communicate with the community. To ensure distinction between personal and Council use, Elected Members are encouraged to establish pages that identify them as Elected Members separate from private accounts, however it should be clear that the opinions expressed are those of the Elected Member and not those of Council.

4.3.5 It is not suggested that Elected Members who post on personal pages should contact the Chief Executive Officer, however, if posts relate to operational matters or decisions of Council, it should be clear that the opinions expressed are those of the Elected Member and the comments are not being made on behalf of Council.

4.3.6 When Elected Members are posting on social media regarding Council matters they are encouraged to contact the Chief Executive Officer prior. This will help ensure that all information going out regarding both operational matters and Council decisions is correct at the time of posting.

4.4. —

4.5.4.6. Media Releases

4.6.1. All Council media releases must only be released to the media from the Communications [and Media](#) Team or Chief Executive Officer's office.

4.6.2. All media releases will be provided to Elected Members when being released to the media.

4.6.3. Elected Members are entitled to distribute their own media releases, however they must clearly indicate these releases are the opinions or beliefs of the individual Elected Member and are not being made on behalf of Council.

5 ASSOCIATED DOCUMENTS

5.1 EM04 Caretaker Policy
[CC01 Code of Conduct for Elected Members Policy](#)

6 REFERENCES AND RELATED LEGISLATION

[Northern Territory Local Government Act](#)



POLICY

Name:	Media		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Deputy Chief Executive Officer		
Approval Date:	[Approval Date]	Next Review Date:	[Next Review]
Records Number:		Council Decision:	

1 PURPOSE

This policy outlines the protocols and procedures governing and guiding City of Palmerston staff and Elected Member interaction with media agencies and use of social media. The policy is designed to establish a framework across Council governing interaction with media to best ensure consistent, accurate messaging, brand recognition and improving the reputation of City of Palmerston.

2 PRINCIPLES

The purpose of any media interaction is to inform and/or educate City of Palmerston stakeholders and the community about Council policies, positions on issues, decisions and upcoming events and projects. At all times, media interactions should be utilised to positively enhance the Council's reputation and public standing.

The Mayor is the principal spokesperson for City of Palmerston.

Other Elected Members or staff may be spokespersons as appropriate, for example as the Deputy Mayor.

Views expressed by Elected Members via their personal social media accounts or otherwise should be clearly identified as either personal or professional and must always endeavour to promote the interests of the municipality and raise awareness and understanding of community issues.

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Term	Definition
Elected Members	All Elected officials including the Mayor.
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4 POLICY STATEMENT

4.1 Council Media Protocol



POLICY

The Communications and Media Team will be, in so far as possible, the first contact point to liaise with media, provide guidance on, and coordinate, written and verbal media statements including media releases and assist in preparing the nominated spokesperson for interviews with the media where required.

- 4.1.1 A decision on whether the issue should be addressed by an Elected Member or staff will be made in the first instance by the Chief Executive Officer in conjunction with the Mayor.

4.2 Staff Dealing with Media

- 4.2.1 No City of Palmerston staff member is authorised to speak to the media on any Council issue without the prior approval of the Chief Executive Officer. This includes personal social media communications which directly relate to issues arising from operations at the City of Palmerston.
- 4.2.2 Any personal use of social media should not imply the user is an authorised representative of City of Palmerston, contain use of a City of Palmerston email address, any City of Palmerston logos or insignia or use or disclose Council information that is confidential or private.
- 4.2.3 On occasions it is appropriate for staff to talk to the media instead of an Elected Member whereby the Chief Executive Officer will have the authority to designate City of Palmerston staff to become a spokesperson.
- 4.2.4 City of Palmerston Council staff, including those in the Communications and Media Team, must not engage in any media activity which is deemed by the Chief Executive Officer to be specifically for the personal advantage of any Elected Member.

4.3 Elected Members Dealing with Media

- 4.3.1 Elected Members are entitled, at any time, to attract media attention for themselves. They are encouraged to inform the Chief Executive Officer out of professional courtesy solely to confirm any factual matters concerning the City of Palmerston as they may relate to the media opportunity.
- 4.3.2 Elected Members should also ensure that when they are seeking to gain media attention for themselves that they make it clear that they are speaking for themselves and not on behalf of the City of Palmerston Council.
- 4.3.3 When Elected Members are approached directly by media to comment on any issue regarding City of Palmerston operations, they should contact the Chief Executive Officer to determine the appropriate spokesperson in the first instance. This does not apply when speaking to the media about matters not reflecting Council decisions and when expressing individual opinion.
- 4.3.4 Elected Members are entitled to indicate that they are Elected Members of the City of Palmerston Council and are encouraged to use social media to communicate with the community. To ensure distinction between personal and Council use, Elected Members are encouraged to establish pages that identify them as Elected Members separate from private accounts, however it should be clear that the opinions expressed are those of the Elected Member and not those of Council.
- 4.3.5 It is not suggested that Elected Members who post or comment via personal pages should contact the Chief Executive Officer however, if posts relate to operational matters or decisions of Council, it should be clear that the opinions expressed are those of the Elected Member and the comments are not being made on behalf of Council.
- 4.3.6 When Elected Members are posting on social media regarding Council matters, they are encouraged to contact the Chief Executive Officer prior for information or share posts from City of Palmerston's social media pages. This will help to ensure that all information is correct at the time of posting.



POLICY

4.4 Media Releases

- 4.4.1 All Council media releases must only be released to the media from the Communications and Media Team or Chief Executive Officer's office.
- 4.4.2 All media releases will be provided to Elected Members when being released to the media.
- 4.4.3 Elected Members are entitled to distribute their own media releases; however they must clearly indicate these releases are the opinions or beliefs of the individual Elected Member and are not being made on behalf of Council.

5 ASSOCIATED DOCUMENTS

- 5.1 EM04 Caretaker Policy

6 REFERENCES AND RELATED LEGISLATION

- 6.1 Northern Territory Local Government Act

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM: 13.2.6
REPORT TITLE: Council Policy Review - FIN21 Debt Collection
MEETING DATE: Tuesday 16 March 2021
AUTHOR: Senior Rates Officer, Shelley Binnie
APPROVER: Director Organisational Services, Silke Maynard

COMMUNITY PLAN

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

PURPOSE

This report seeks Council approval to amend Council Policy *Debt Collection* due to a review of the policy.

KEY MESSAGES

- Council Policy *FIN21 Debt Collection* has been reviewed in line with the review schedule for Council policies.
- Council is providing clear debt management and collection guidelines.
- The amended Council Policy *Debt Collection* complies with both, the current *Local Government Act 2008* the incoming *Local Government Act 2019*, commencing on 1 July 2021.

RECOMMENDATION

1. THAT Report entitled Council Policy Review - FIN21 Debt Collection be received and noted.
2. THAT Council adopt the amended Policy *Debt Collection* as presented as **Attachment 13.2.6.3** to Report entitled Council Policy Review - FIN21 Debt Collection.

BACKGROUND

Council Policy *Debt Collection* details the process Council follows for debt management and collection, including ensuring correct records are kept of monies owed to Council in accordance with the *Local Government Act* and associated Regulations.

Amendments to this policy will provide an improved debt management/collection.

DISCUSSION

Debt collection is an important mechanism for managing financial sustainability for Council. The review and improvement of the Debt Collection policy allows increased personalised customer service. Besides the steps Council is taking through debt collection, Council continues to offer support to ratepayers in difficulties through the *Rates Concession Policy*. As part of Council's COVID-19 response, concessions were extended on top of a zero rate increase for the 2020-21 financial year.

Council Policy *Debt Collection* has been reviewed to support a more inhouse focused debt management/collection process for rates debtors linked to the increased personalised customer service the organisation is working towards.

The review has resulted in the following recommended amendments:

Rates Debtors

4.3.4 Debt Collection Process

- SMS Notification: When deemed appropriate Council may issue SMS Notifications to rate debtors to inform of; instalment due date, overdue amount or general reminder.
- Email Notifications: When deemed appropriate Council may issue Email Notifications to rate debtors to inform of an overdue amount and advise of possible legal action.

4.3.6 Debt Write Off

- Write off of debt owed to Council will occur in accordance with legislation. The writing off of a debt under the legislation does not prevent the Council from subsequently taking action for the recovery of the debt.

Sundry Debtors

4.5.6 Debt Write Off

- Write off of debt owed to Council will occur in accordance with legislation. The writing off of a debt under the legislation does not prevent the Council from subsequently taking action for the recovery of the debt.

Additionally, a few points have been reworded to ensure consistent wording is used throughout the policy.

Section numbers for the *Act* and *Regulations* have been removed from the policy as this will allow the policy to remain relevant during the transition to new legislation.

CONSULTATION PROCESS

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

- Finance Manager
- Regulatory Services Manager

POLICY IMPLICATIONS

If adopted, the amended version of Council Policy *Debt Collection* as presented as **Attachment 13.2.6.3** to Report entitled Council Policy Review - FIN21 Debt Collection, will become the new policy of Council.

BUDGET AND RESOURCE IMPLICATIONS

If adopted, there will be no ongoing budget implications for Policy *Debt Collection*, as debt collection costs are already budgeted for in the Council budget and are recovered through on charging to rates accounts.

Improved management and personalised customer service is designed to recover debts in a more effective manner.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Amendment of Council's current Debt Collection Policy complies with the current and future *Local Government Act*.

This report addresses the following City of Palmerston Strategic Risks:

- 4 **Fails to effectively design and implement contemporary governance practices**
Context: Strong foundations to hold the Council and Administration to account with clear and transparent performance reporting.
- 5 **Fails to make informed and timely decisions**
Context: Ensuring the Council and Administration with decision making delegation have access to the right information, at the right time as context to making its decisions on a timely basis.
- 6 **Fails to create and deliver the strategic vision for the City**
Context: Ensuring a vision is enduring and clear to all relevant stakeholders, guiding future decision making, delivered effectively and efficiently, and that progress is measurable and celebrated.

City of Palmerston is committed to providing a considered and consistent approach to the decision-making process when collecting debt owed to Council. This policy sets out a clear, fair, equitable, accountable and transparent process that Council will follow for its debt management and collection. This policy will ensure that the risks associated with debts owed to Council are managed in line with the current Northern Territory *Local Government Act 2008*, and the incoming *Local Government Act 2019*, commencing on 1 July 2021 and corresponding *Regulations*.

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

1. FIN21 Debt Collection Policy [13.2.6.1 - 6 pages]
2. Debt Collection Policy Tracked [13.2.6.2 - 6 pages]
3. Debt Collection Policy Clean [13.2.6.3 - 5 pages]

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Name:	Debt Collection		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director Corporate Services		
Approval Date:	21/06/2016	Next Review Date:	1/07/2018
Records Number:	365979	Council Decision:	8/2081

1 PURPOSE

This policy sets out a clear, equitable, accountable and transparent process that Council will follow for its debt management and collection practices. The Policy will ensure that proper records are kept of debts owed to Council in line with the Local Government Act Northern Territory and corresponding Regulations.

2 PRINCIPLES

City of Palmerston is committed to provide a considered approach and consistent decision making process when collecting debt owed to Council.

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Term	Definition
The Act	The term refers to the Local Government Act Northern Territory.
Accounting Regulations	The term refers to the Local Government (Accounting) Regulations.
Debt	The amount of money owed by the debtor as a result of a transaction with Council.
Debtor	Any individual, corporation, organisation or other entity owing money to Council.
Risk	The possibility of non-payment of the debt by the debtor when the amount is due. The likelihood of non-payment increases with the age of the debt.
Write Off	The accounting procedure for cancelling debt that is no longer collectable resulting in its removal from Council's balance sheet.
Rates	For the purpose of this policy the term is defined in line with Section 168 of the Act.
Provision for Doubtful Debts	The accounting procedure for recognising the estimated value of debts that may end up being uncollectable.

4 POLICY STATEMENT

4.1 Staff Responsibilities

- 4.1.1 Council will ensure that all credit and related debts are managed fairly and equitably. Maximum possible collection targets are sought by Council. All debtors are shown utmost respect, courtesy, and diligence in all dealings. All debt collection arrangements are treated as strictly confidential.

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- 4.1.2 The department providing the goods and/or services to the debtor will be responsible for completing the documentation required for an invoice to be generated and providing finance with all known contact details for the debtor. Finance will be responsible for raising the invoice and collection of any debts for all departments.
- 4.1.3 Principles of risk management will underpin decisions made in relation to credit and related debt management. To reduce the risk of non-payment of debt, a structured collection and collection process will be applied.
- 4.2 **Debt Records**
 - 4.2.1 In line with Section 26 Accounting Regulations proper records of debts owed to council are kept by computer and are arranged by:
 - Category of debt; and
 - Age of debt
 - 4.2.2 The following categories of debt are recorded:
 - Rates Debtors
 - Infringement Debtors
 - Sundry Debtors
 - 4.2.3 The following categories of age are recorded:
 - Current balance (not overdue - Invoice date equals report date)
 - 30 days balance (due - Invoice date is 1 to 30 days smaller then report date)
 - 60 days balance (overdue - Invoice date is 31 to 60 days smaller then report date)
 - 90 days balance (overdue - Invoice date is 61 to 90 days smaller then report date)
 - Over 90 days balance (overdue - Invoice date more than 90 days smaller then report date)
 - 4.2.4 Each category of debt, by its particular name, requires distinct methods of debt collection processing. Each category is considered individually hereunder.
- 4.3 **Rates Debtors**
 - 4.3.1 **Definition**
Rates Debtors have incurred a debt of Rates. For the purpose of debt collection the definition of Rates follows Section 168 of the Act. Rates include:
 - General Rates
 - Special Rates
 - Charges
 - Accrued interest
 - Costs reasonably incurred by the council in recovering, or attempting to recover the above
 - 4.3.2 **Payment Terms**
In line with Section 161 of the Act Council allows payment by four instalments per financial year. The Act states that if a ratepayer defaults in payment of an instalment by the due date, all remaining instalments become immediately due and payable.
 - 4.3.3 **Penalty Interest**
In line with Section 162 of the Act interest will accrue on unpaid rates at the relevant interest rate. The relevant interest rate will be set by Council annually. A remission of interest may be granted in individual circumstances under the FIN17 Rate Concession Policy.
 - 4.3.4 **Debt Collection Process**
 - Rates Notice: In accordance to Section 159 of the Act Council will issue rates notices at least 28 days before the first instalment of the rates falls due. The notice

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states the due dates and amounts due for all instalment dates of the financial year and outlines arrears from former financial years due and payable now.

- **Reminder Notice:** Council will issue Reminder Notices at least 21 days before each instalment thereafter. The notice states the due dates and amounts due for the instalments remaining in the financial year and outlines overdue amounts of the rates account.
 - **Reminder Letter:** When deemed appropriate Council may issue Reminder Letters to rate debtors to inform of an overdue amount and advise of possible legal actions.
 - **External Debt Collection Agency:** Council may involve an external debt collection agency for issuing reminder letters or field calls. All incurred expenses will be charged to the relevant rates debtor and recovered in full.
 - **Overriding statutory charge:** In accordance to Section 170 and 171 of the Act rates become a charge on the land if not paid by the due date. After rates have been in arrears for at least 6 months, council may apply for registration of the charge over the land to which the charge relates. All incurred expenses will be charged to the relevant rates debtor and recovered in full.
 - **Sale of land:** Council reserves the right to sell land for non-payment of rates as outlined in Part 11.9 Division 4 of the Act if rates have been in arrears for at least 3 years, and an overriding charge has been registered for at least 6 months. Council will employ legal representatives in the process. All incurred expenses will be charged to the relevant rates debtor and recovered in full.
- 4.3.5 **Payment Arrangements**
Council may enter into payment arrangement with any ratepayer. Those agreements are made on an individual basis depending on the situation and payment history of a rates debtor. With payment arrangements penalty interest for overdue rates will continue to accrue unless a rates concession has been granted to the rates debtor (refer to FIN17 Rate Concession Policy).
- 4.3.6 **Debt Write Off**
Council may by resolution, write off unpaid rates or some other debt owed to council under Section 27 Accounting Regulations. The writing off of a debt under the regulation does not prevent the Council from subsequently taking action for the recovery of the debt.
- 4.3.7 **Reporting**
As part of the monthly finance report council receives information about rates outstanding as per instalment date and as per financial year. The report will outline debts written off and a summary of rates debtors in the debt collection process.
- 4.3.8 **Authorities**
The authority of a council officer to initiate the debt collection process and enter rates into payment arrangements with rates debtors is outlined in council's delegation manual, and is dependent on the amount and age of the debt.
- 4.3.9 **Provision for Doubtful Debts**
Rates are a charge over the land, therefore provision for doubtful debt for rates debt will only be established if the origin of the debt is doubtful and not if it is doubtful that the rates can be recovered from the current land owner.
- 4.4 **Infringement Debtors**
- 4.4.1 **Definition**
Infringement Debtors have incurred a debt of regulatory nature. For the purpose of this policy an Infringement debt can include one or more of the following:
- Parking/Traffic Infringement
 - Animal Infringement

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- Public Places Infringement
- Litter Infringement
- Signage Infringement
- Other Law and Order Infringement
- 4.4.2 **Payment Terms**
In accordance with the Fine and Penalties Recovery Act, any infringement issued by Council under the Legislation allows the alleged offender 14 days to pay the prescribed amount. Payment must be made in full, no part payments will be accepted.
- 4.4.3 **Penalty Interest**
Council is not applying penalty interest to the outstanding debt of infringement debtors.
- 4.4.4 **Debt Collection Process**
If payment is not received within 14 days, a courtesy letter will be issued with an additional administration cost requiring payment within 28 days of receiving the letter. Unpaid infringements might be lodged with the Fines Recovery Unit and enforcement orders may be made. Enforcement measures can include licence suspension, property seizures and community work orders. Enforcement orders add costs to the original penalty.
- 4.4.5 **Payment Arrangements**
Fines can only be paid in full to Council. Once an unpaid infringement is lodged with the Fines Recovery Unit they are the competent authority that manages payment arrangements.
- 4.4.6 **Debt Write Off**
The cancellation or withdrawal of an infringement notice may only be authorised by an officer holding the appropriate delegation. Withdrawal of an infringement may also occur after a written appeal has been submitted to Council against the alleged offence, which in the opinion of the relevant officer has merit. Written confirmation of the infringement cancellation will be sent to the customer.
- 4.4.7 **Reporting**
As part of the monthly Finance report Council is informed about the outstanding infringement debt categorised by infringement type.
- 4.4.8 **Authorities**
The authority of a council officer to recover infringement debts is outlined in council's delegation manual.
- 4.4.9 **Provision for Doubtful Debts**
A provision for Doubtful Debt is made, if a person who receives an infringement chooses to have the matter dealt with by the Courts.
- 4.5 **Sundry Debtors**
 - 4.5.1 **Definition**
Sundry Debtors have incurred a debt for other Goods and/or Services delivered by Council. For the purpose of this policy a Sundry debt can include one or more of the following:
 - User Fees and Charges
 - Statutory Charges
 - Investment Income
 - Reimbursements
 - Other Income
 - Grants, Subsidies and Contributions

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- 4.5.2 **Payment Terms**
Payment terms for all Sundry debtors are 30 days from the date of invoice. Where appropriate, prepayment, bonds or deposits will be required prior to Council commencing the supply of goods or services. Council reserves the right to request full payment in advance depending on a debtor's payment history.
- 4.5.3 **Penalty Interest**
Council is not applying penalty interest to the outstanding debt of sundry debtors.
- 4.5.4 **Debt Collection Process**
- **Monthly Statements:**
Sundry Debtors are issued with statements of all outstanding debt at the end of each calendar month.
 - **Reminder Letter:**
When deemed appropriate Council may issue Reminder Letters to sundry debtors to inform of an overdue amount and advise of possible legal actions.
 - **External Debt Collection Agency:**
Council may involve an external debt collection agency for issuing reminder letters or other legal actions. All incurred expenses will be charged to the relevant sundry debtor and recovered in full.
- 4.5.5 **Payment Arrangements**
Council may enter into payment arrangement with any sundry debtor. Those agreements are made on an individual basis depending on the situation and payment history of a sundry debtor.
- 4.5.6 **Debt Write Off**
Council may by resolution; write off unpaid debt owed to council under Section 27 Accounting Regulations. The writing off of a debt under the regulation does not prevent the Council from subsequently taking action for the recovery of the debt.
- 4.5.7 **Reporting**
As part of the monthly finance report council receives information about sundry debts outstanding categorised by age.
- 4.5.8 **Authorities**
The authority of a council officer to initiate the debt collection process and enter debt into payment arrangements with sundry debtors is outlined in council's delegation manual, and is dependent on the amount and age of the debt.
- 4.5.9 **Provision for Doubtful Debts**
Where the recovery of debt is unlikely prior to completing all steps listed in the debt collection process (i.e. where the debtor is bankrupt or in liquidation), a provision shall be made in line with the Australian Accounting Standards.

5 ASSOCIATED DOCUMENTS

- 5.1 City of Palmerston Rates Debt Collection Procedure
- 5.2 City of Palmerston Infringements Debt Collection Procedure
- 5.3 City of Palmerston Sundry Debt Collection Procedure
- 5.4 City of Palmerston Policies

6 REFERENCES AND RELATED LEGISLATION

- 6.1 Northern Territory Local Government Act
- 6.2 Northern Territory Local Government (Administration) Regulations
- 6.3 Northern Territory Local Government (Accounting) Regulations
- 6.4 Australian Accounting Standards
- 6.5 Ministerial Guidelines
- 6.6 Palmerston By-laws



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- 6.7 Fines and Penalties (Recovery) Act.
- 6.8 Local Government General Instructions

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Name:	Debt Collection		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director Corporate <u>Organisational</u> Services		
Approval Date:	<u>21/06/2016</u>	Next Review Date:	<u>1/07/2018</u> <u>Next</u>
Records Number:	<u>365979</u>	Council Decision:	<u>8/2081</u>

1 PURPOSE

This policy sets out a clear, fair, equitable, accountable and transparent process that Council will follow for its debt management and collection practices. The Policy will ensure that proper records are kept of debts owed to Council in line with the Northern Territory Local Government Act ~~Northern Territory~~ and corresponding Regulations.

2 PRINCIPLES

City of Palmerston is committed to providing inge a considered and consistent approach ~~and consistent to the~~ decision making process when collecting debt owed to Council.

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Term	Definition
The Act	The term refers to the <u>Northern Territory</u> Local Government Act Northern Territory .
Accounting Regulations Regulations	The term refers to the Local Government (Accounting) Regulations. <u>The term refers to the Local Government Regulations</u>
Debt	The amount of money owed by the debtor as a result of a transaction with Council.
Debtor	Any individual, corporation, organisation or other entity owing money to Council.
Risk	The possibility of non-payment of the debt by the debtor when the amount is due. The likelihood of non-payment increases with the age of the debt.
Write Off	The accounting procedure for cancelling debt that is no longer collectable resulting in its removal from Council's balance sheet.
Rates	For the purpose of this policy the term is defined in line with Section 168 of the Act <u>2008 / Section 254 of the Act 2019</u> .
Provision for Doubtful Debts	The accounting procedure for recognising the estimated value of debts that may end up being uncollectable.

4 POLICY STATEMENT

4.1 Staff Responsibilities

- 4.1.1 Council will ensure that all credit and related debts are managed fairly and equitably. Maximum possible collection targets are sought by Council. All debtors are shown utmost respect, courtesy, and diligence in all dealings. All debt collection arrangements are treated as strictly confidential.

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~~4.1.2 The department providing the goods and/or services to the debtor will be responsible for completing the documentation required for an invoice to be generated and providing finance with all known contact details for the debtor. Finance will be responsible for raising the invoice and collection of any debts for all departments.~~

4.1.32 -Principles of risk management will underpin decisions made in relation to credit and related debt management. To reduce the risk of non-payment of debt, a structured collection and collection process will be applied.

4.2 Debt Records

4.2.1 In line with ~~Section 26 Accounting Regulations~~ proper records of debts owed to council are kept by computer and are arranged by:

- Category of debt; and
- Age of debt

4.2.2 The following categories of debt are recorded:

- Rates Debtors
- Infringement Debtors
- Sundry Debtors

4.2.3 The following categories of age are recorded:

- Current balance (not overdue - Invoice date equals report date)
- 30 days balance (due - Invoice date is 1 to 30 days smaller then report date)
- 60 days balance (overdue - Invoice date is 31 to 60 days smaller then report date)
- 90 days balance (overdue - Invoice date is 61 to 90 days smaller then report date)
- Over 90 days balance (overdue - Invoice date more than 90 days smaller then report date)

4.2.24 -Each category of debt, by its particular name, requires distinct methods of debt collection processing. Each category is considered individually hereunder.

4.3 Rates Debtors

4.3.1 Definition

Rates Debtors have incurred a debt of Rates and/or Charges. ~~For the purpose of debt collection the definition of Rates follows Section 168 of the Act.~~ Rates include:

- General Rates
- Special Rates
- Charges
- Accrued interest
- Costs reasonably incurred by the council in recovering, or attempting to recover the above

4.3.2 Payment Terms

In line with ~~Section 161 of the Act~~, Council allows payment by ~~four~~ instalments per financial year. The Act states that if a ratepayer defaults in payment of an instalment by the due date, all remaining instalments become immediately due and payable.

4.3.3 Penalty Interest

In line with ~~Section 162 of the Act~~ interest will accrue on unpaid rates at the relevant interest rate. ~~The relevant interest rate will be as~~ set by Council annually. A remission of interest may be granted in individual circumstances under the ~~FIN17~~ Rate Concession Policy.

4.3.4 Debt Collection Process

- Rates Notice: In accordance ~~to Section 159 of~~ with the Act, Council will issue rates notices at least ~~28~~ days before the first instalment of the rates falls due. ~~The notice~~

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~~states the due dates and amounts due for all instalment dates of the financial year and outlines arrears from former financial years due and payable now.~~

- ~~Instalment~~ Reminder Notice: In accordance with the Act, Council will issue Reminder Notices at least 281 days before each instalment ~~falls due, thereafter. The notice states the due dates and amounts due for the instalments remaining in the financial year and outlines overdue amounts of the rates account.~~
- ~~Overdue~~ Reminder Letter: When deemed appropriate, Council may issue ~~Overdue~~ Reminder Letters to rate debtors to inform of an overdue amount and advise of possible legal action.~~s.~~
- SMS Notification: When deemed appropriate, Council may issue SMS Notifications to rate debtors to inform of; instalment due date or overdue amount.
- Email Notification: When deemed appropriate, Council may issue Email Notifications to rate debtors to inform of an overdue amount and advise of possible legal action.
- External Debt Collection Agency: Council may involve an external debt collection agency for issuing ~~reminder letters~~ Letters of Demand or field calls. All incurred expenses will be charged to the relevant rates debtor and recovered in full.
- Overriding Statutory Charge: In accordance ~~to Section 170 and 171 of~~ with the Act, ~~rates become a charge on the land if not paid by the due date. After if~~ rates have been in arrears for at least 6 months, ~~C~~council may apply for registration of the an overriding statutory charge over the land ~~to which the charge relates~~. All incurred expenses will be charged to the relevant rates debtor and recovered in full.
- Sale of land: In accordance with the Act, if rates have been in arrears for at least 3 years and an overriding statutory charge has been registered for at least 6 months, Council reserves the right to sell land for non-payment of rates. This may include instructing an external provider legal counsel to undertake this process, as outlined in Part 11.9 Division 4 of the Act if rates have been in arrears for at least 3 years, and an overriding charge has been registered for at least 6 months. Council will employ legal representatives in the process. All incurred expenses will be charged to the relevant rates debtor and recovered in full.

4.3.5 Payment Arrangements

Council may enter into a payment arrangement with any ratepayer. ~~Those A~~greements are

made on an individual basis depending on the situation and payment history of a rates debtor. ~~With payment arrangements P~~enalty interest for overdue rates/charges will continue to accrue unless a rates

concession has been granted to the rates debtor in accordance with (refer to FIN17 Rate Concession Policy).

4.3.6 Debt Write Off

Write off of debt owed to council will occur in accordance with the legislation. Regulations Council may by resolution, to write off unpaid rates/charges or some other debt owed to council, under Section 27 Accounting Regulations. The writing off of a debt under the regulation legislation does not prevent the Council from subsequently taking action for the recovery of the debt.

4.3.7 Reporting

As part of the monthly finance report, Ccouncil receives information about rates outstanding as per instalment date and as per financial year. The report will outline debts written off and a summary of rates debtors in the debt collection process.

4.3.8 Authorities

The authority of a council officer to initiate the debt collection process and enter ~~rates~~ into a payment arrangements with a rates debtors is outlined in Ccouncil's delegation manual, and is dependent on the amount and age of the debt.

- 4.3.9 Provision for Doubtful Debts
Rates are a charge over the land, therefore provision for doubtful debt for rates debt will only be established if the origin of the debt is doubtful and not if it is doubtful that the rates can be recovered from the current land owner.
- 4.4 Infringement Debtors
- 4.4.1 Definition
Infringement Debtors have incurred a debt of regulatory nature. For the purpose of this policy an Infringement debt can include one or more of the following:
- Parking/Traffic Infringement
 - Animal Infringement
 - Public Places Infringement
 - Litter Infringement
 - Signage Infringement
 - Other Law and Order Infringement
- 4.4.2 Payment Terms
In accordance with the *Fine and Penalties Recovery Act*, any infringement issued by Council under the Legislation allows the alleged offender 14 days to pay the prescribed amount. Payment must be made in full, no part payments will be accepted.
- 4.4.3 Penalty Interest
Council is not applying penalty interest to the outstanding debt of infringement debtors.
- 4.4.4 Debt Collection Process
If payment is not received within 14 days, a courtesy letter will be issued with an additional administration cost requiring payment within 28 days of receiving the letter. Unpaid infringements ~~might~~may be lodged with the Fines Recovery Unit and enforcement orders may be made. Enforcement measures can include licence suspension, property seizures and community work orders. Enforcement orders add costs to the original penalty.
- 4.4.5 Payment Arrangements
Fines can only be paid in full to Council. Once an unpaid infringement is lodged with the Fines Recovery Unit they are the competent authority that manages payment arrangements.
- 4.4.6 Debt Write Off
The cancellation or withdrawal of an infringement notice may only be authorised by an officer holding the appropriate delegation. Withdrawal of an infringement may also occur after a written ~~review~~appeal has been submitted to Council against the alleged offence, which in the opinion of the relevant officer has merit. Written confirmation of the infringement cancellation will be sent to the customer.
- 4.4.7 Reporting

As part of the monthly Finance report, Council ~~is informed~~receives information about the
~~-outstanding infringement debt categorised by infringement type.~~
- 4.4.8 Authorities
The authority of a council officer to recover infringement debts is outlined in council's delegation manual.
- 4.4.9 Provision for Doubtful Debts
A provision for Doubtful Debt is made, if a person who receives an infringement chooses to have the matter dealt with by the Courts.

4.5 Sundry Debtors

4.5.1 Definition

Sundry Debtors have incurred a debt for other Goods and/or Services delivered by Council. For the purpose of this policy a Sundry debt can include one or more of the following:

- User Fees and Charges
- Statutory Charges
- Investment Income
- Reimbursements
- Other Income
- Grants, Subsidies and Contributions

4.5.2 Payment Terms

Payment terms for all Sundry debtors are 30 days from the date of invoice. Where appropriate, prepayment, bonds or deposits will be required prior to Council commencing the supply of goods or services. Council reserves the right to request full payment in advance depending on a debtor's payment history.

4.5.3 Penalty Interest

Council ~~is not applying~~ may apply penalty interest to the outstanding debt of sundry debtors.

4.5.4 Debt Collection Process

- Monthly Statements:
Sundry Debtors are issued with statements of all outstanding debt at the end of each calendar month.
- Reminder Letter:
When deemed appropriate Council may issue Reminder Letters to sundry debtors to inform of an overdue amount and advise of possible legal actions.
- External Debt Collection Agency:
Council may involve an external debt collection agency for issuing ~~reminder letters~~ Letter of Demand or other legal actions. All incurred expenses will be charged to the relevant sundry debtor and recovered in full.

4.5.5 Payment Arrangements

Council may enter into a payment arrangement with any sundry debtor. ~~These Agreements~~ are made on an individual basis depending on the situation and payment history of a sundry debtor.

4.5.6 Debt Write Off

~~Write off of debt owed to council will occur in accordance with legislation. The writing off of a debt under the legislation does not prevent the Council from subsequently taking action for the recovery of the debt. Council may by resolution; write off unpaid debt owed to council under Section 27 Accounting Regulations. The writing off of a debt under the regulation does not prevent the Council from subsequently taking action for the recovery of the debt.~~

4.5.7 Reporting

As part of the monthly finance report council receives information about sundry debts outstanding, categorised by age.

4.5.8 Authorities

The authority of a council officer to initiate the debt collection process and enter ~~debt~~ into a payment arrangements with a sundry debtors is outlined in Council's delegation manual, and is dependent on the amount and age of the debt.

4.5.9 Provision for Doubtful Debts

Where the recovery of debt is unlikely prior to completing all steps listed in the debt collection process (i.e. where the debtor is bankrupt or in liquidation), a provision shall be made in line with the Australian Accounting Standards.

FIN21

5 ASSOCIATED DOCUMENTS

- 5.1 City of Palmerston ~~Rates Concession Rates Debt Collection Procedure~~ Policy
- ~~5.2 City of Palmerston Infringements Debt Collection Procedure~~
- ~~5.3 City of Palmerston Sundry Debt Collection Procedure~~
- ~~5.4 City of Palmerston Policies~~

6 REFERENCES AND RELATED LEGISLATION

- 6.1 Northern Territory Local Government Act
- 6.2 Northern Territory Local Government ~~(Administration)~~ Regulations
- ~~6.3 Northern Territory Local Government (Accounting) Regulations~~
- ~~6.43~~ Australian Accounting Standards
- ~~6.45~~ Ministerial Guidelines
- ~~6.56~~ Palmerston By-laws
- 6.7 Fines and Penalties (Recovery) Act
- 6.8 Local Government General Instructions

Name:	Debt Collection		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director Organisational Services		
Approval Date:	[Approval Date]	Next Review Date:	[Next Review]
Records Number:		Council Decision:	

1 PURPOSE

This policy sets out a clear, fair, equitable, accountable and transparent process that Council will follow for its debt management and collection practices. The Policy will ensure that proper records are kept of debts owed to Council in line with the Northern Territory *Local Government Act* and corresponding Regulations.

2 PRINCIPLES

City of Palmerston is committed to providing a considered and consistent approach to the decision making process when collecting debt owed to Council.

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Term	Definition
Act	The term refers to the Northern Territory <i>Local Government Act</i>
Regulations	The term refers to the <i>Local Government Regulations</i>
Debt	The amount of money owed by the debtor as a result of a transaction with Council.
Debtor	Any individual, corporation, organisation or other entity owing money to Council.
Risk	The possibility of non-payment of the debt by the debtor when the amount is due. The likelihood of non-payment increases with the age of the debt.
Write Off	The accounting procedure for cancelling debt that is no longer collectable resulting in its removal from Council's balance sheet.
Rates	For the purpose of this policy the term is defined in line with Section 168 of the Act 2008 / Section 254 of the Act 2019.
Provision for Doubtful Debts	The accounting procedure for recognising the estimated value of debts that may end up being uncollectable.

4 POLICY STATEMENT

4.1 Staff Responsibilities

- 4.1.1 Council will ensure that all credit and related debts are managed fairly and equitably. Maximum possible collection targets are sought by Council. All debtors are shown utmost respect, courtesy, and diligence in all dealings. All debt collection arrangements are treated as strictly confidential.
- 4.1.2 Principles of risk management will underpin decisions made in relation to credit and related debt management. To reduce the risk of non-payment of debt, a structured collection and collection process will be applied.

4.2 Debt Records

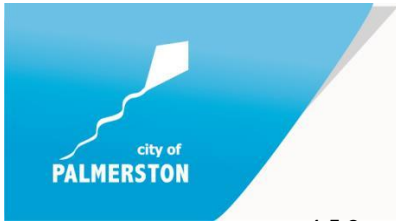
- 4.2.1 In line with *Regulations* proper records of debts owed to council are kept by computer and are arranged by:
- Category of debt; and
 - Age of debt
- 4.2.2 The following categories of debt are recorded:
- Rates Debtors
 - Infringement Debtors
 - Sundry Debtors
- 4.2.3 The following categories of age are recorded:
- Current balance (not overdue - Invoice date equals report date)
 - 30 days balance (due - Invoice date is 1 to 30 days smaller then report date)
 - 60 days balance (overdue - Invoice date is 31 to 60 days smaller then report date)
 - 90 days balance (overdue - Invoice date is 61 to 90 days smaller then report date)
 - Over 90 days balance (overdue - Invoice date more than 90 days smaller then report date)
- 4.2.2 Each category of debt, by its particular name, requires distinct methods of debt collection processing. Each category is considered individually hereunder.

4.3 Rates Debtors

- 4.3.1 Definition
Rates Debtors have incurred a debt of Rates and/or Charges. Rates include:
- General Rates
 - Special Rates
 - Charges
 - Accrued interest
 - Costs reasonably incurred by the council in recovering, or attempting to recover the above
- 4.3.2 Payment Terms
In line with the Act, Council allows payment by instalments per financial year. The Act states that if a ratepayer defaults in payment of an instalment by the due date, all remaining instalments become immediately due and payable.
- 4.3.3 Penalty Interest
In line with the Act interest will accrue on unpaid rates at the relevant interest rate as set by Council annually. A remission of interest may be granted in individual circumstances under the Rate Concession Policy.
- 4.3.4 Debt Collection Process
- Rates Notice: In accordance with the Act, Council will issue rates notices at least 28 days before the first instalment of the rates falls due
 - Instalment Reminder Notice: In accordance with the Act, Council will issue Reminder Notices at least 28 days before each instalment falls due.
 - Overdue Letter: When deemed appropriate, Council may issue Overdue Letters to rate debtors to inform of an overdue amount and advise of possible legal action.
 - SMS Notification: When deemed appropriate, Council may issue SMS Notifications to rate debtors to inform of; instalment due date or overdue amount.
 - Email Notification: When deemed appropriate, Council may issue Email Notifications to rate debtors to inform of an overdue amount and advise of possible legal action.
 - External Debt Collection Agency: Council may involve an external debt collection agency for issuing Letters of Demand or field calls. All incurred expenses will be charged to the relevant rates debtor and recovered in full.
 - Overriding Statutory Charge: In accordance with the Act, if rates have been in arrears for at least 6 months, Council may apply for registration of an overriding statutory charge over the land. All incurred expenses will be charged to the relevant rates debtor and recovered in full.

- Sale of land: In accordance with the Act, if rates have been in arrears for at least 3 years and an overriding statutory charge has been registered for at least 6 months, Council reserves the right to sell land for non-payment of rates. This may include instructing an external provider to undertake this process. All incurred expenses will be charged to the relevant rates debtor and recovered in full.
- 4.3.5 **Payment Arrangements**
Council may enter into a payment arrangement with any ratepayer. Agreements are made on an individual basis depending on the situation and payment history of a rates debtor. Penalty interest for overdue rates/charges will continue to accrue unless a rates concession has been granted to the rates debtor in accordance with Rate Concession Policy.
- 4.3.6 **Debt Write Off**
Write off of debt owed to council will occur in accordance with *legislation*. The writing off of a debt under the *legislation* does not prevent the Council from subsequently taking action for the recovery of the debt.
- 4.3.7 **Reporting**
As part of the monthly finance report, Council receives information about rates outstanding as per instalment date and as per financial year. The report will outline debts written off and a summary of rates debtors in the debt collection process.
- 4.3.8 **Authorities**
The authority of a council officer to initiate the debt collection process and enter into a payment arrangement with a rates debtor is outlined in Council's delegation manual, and is dependent on the amount and age of the debt.
- 4.3.9 **Provision for Doubtful Debts**
Rates are a charge over the land, therefore provision for doubtful debt for rates debt will only be established if the origin of the debt is doubtful and not if it is doubtful that the rates can be recovered from the current land owner.
- 4.4 **Infringement Debtors**
 - 4.4.1 **Definition**
Infringement Debtors have incurred a debt of regulatory nature. For the purpose of this policy an Infringement debt can include one or more of the following:
 - Parking/Traffic Infringement
 - Animal Infringement
 - Public Places Infringement
 - Litter Infringement
 - Signage Infringement
 - Other Law and Order Infringement
 - 4.4.2 **Payment Terms**
In accordance with the *Fine and Penalties Recovery Act*, any infringement issued by Council under the Legislation allows the alleged offender 14 days to pay the prescribed amount. Payment must be made in full, no part payments will be accepted.
 - 4.4.3 **Penalty Interest**
Council is not applying penalty interest to the outstanding debt of infringement debtors.
 - 4.4.4 **Debt Collection Process**
If payment is not received within 14 days, a courtesy letter will be issued with an additional administration cost requiring payment within 28 days of receiving the letter. Unpaid infringements may be lodged with the Fines Recovery Unit and enforcement orders may be made. Enforcement measures can include licence suspension, property seizures and community work orders. Enforcement orders add costs to the original penalty.
 - 4.4.5 **Payment Arrangements**
Fines can only be paid in full to Council. Once an unpaid infringement is lodged with the Fines Recovery Unit they are the competent authority that manages payment arrangements.

- 4.4.6 **Debt Write Off**
The cancellation or withdrawal of an infringement notice may only be authorised by an officer holding the appropriate delegation. Withdrawal of an infringement may also occur after a written review has been submitted to Council against the alleged offence, which in the opinion of the relevant officer has merit. Written confirmation of the infringement cancellation will be sent to the customer.
- 4.4.7 **Reporting**
As part of the monthly Finance report, Council receives information about the outstanding infringement debt categorised by infringement type.
- 4.4.8 **Authorities**
The authority of a council officer to recover infringement debts is outlined in council's delegation manual.
- 4.4.9 **Provision for Doubtful Debts**
A provision for Doubtful Debt is made, if a person who receives an infringement chooses to have the matter dealt with by the Courts.
- 4.5 **Sundry Debtors**
- 4.5.1 **Definition**
Sundry Debtors have incurred a debt for other Goods and/or Services delivered by Council. For the purpose of this policy a Sundry debt can include one or more of the following:
- User Fees and Charges
 - Statutory Charges
 - Investment Income
 - Reimbursements
 - Other Income
 - Grants, Subsidies and Contributions
- 4.5.2 **Payment Terms**
Payment terms for all Sundry debtors are 30 days from the date of invoice. Where appropriate, prepayment, bonds or deposits will be required prior to Council commencing the supply of goods or services. Council reserves the right to request full payment in advance depending on a debtor's payment history.
- 4.5.3 **Penalty Interest**
Council may apply penalty interest to the outstanding debt of sundry debtors.
- 4.5.4 **Debt Collection Process**
- **Monthly Statements:**
Sundry Debtors are issued with statements of all outstanding debt at the end of each calendar month.
 - **Reminder Letter:**
When deemed appropriate Council may issue Reminder Letters to sundry debtors to inform of an overdue amount and advise of possible legal actions.
 - **External Debt Collection Agency:**
Council may involve an external debt collection agency for issuing Letter of Demand or other legal actions. All incurred expenses will be charged to the relevant sundry debtor and recovered in full.
- 4.5.5 **Payment Arrangements**
Council may enter into a payment arrangement with any sundry debtor. Agreements are made on an individual basis depending on the situation and payment history of a sundry debtor.
- 4.5.6 **Debt Write Off**
Write off of debt owed to council will occur in accordance with *legislation*. The writing off of a debt under the *legislation* does not prevent the Council from subsequently taking action for the recovery of the debt.
- 4.5.7 **Reporting**
As part of the monthly finance report council receives information about sundry debts outstanding, categorised by age.



- 4.5.8 Authorities
The authority of a council officer to initiate the debt collection process and enter into a payment arrangement with a sundry debtor is outlined in Council's delegation manual, and is dependent on the amount and age of the debt.
- 4.5.9 Provision for Doubtful Debts
Where the recovery of debt is unlikely prior to completing all steps listed in the debt collection process (i.e. where the debtor is bankrupt or in liquidation), a provision shall be made in line with the Australian Accounting Standards.

5 ASSOCIATED DOCUMENTS

- 5.1 City of Palmerston Rates Concession Policy

6 REFERENCES AND RELATED LEGISLATION

- 6.1 Northern Territory Local Government Act
6.2 Northern Territory Local Government Regulations
6.3 Australian Accounting Standards
6.4 Ministerial Guidelines
6.5 Palmerston By-laws
6.7 Fines and Penalties (Recovery) Act
6.8 Local Government General Instructions

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM: 13.2.7
REPORT TITLE: Council Policy Review - CC01 Code of Conduct for Elected Members
MEETING DATE: Tuesday 16 March 2021
AUTHOR: Governance Lead, Caroline Hocking
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 reviews Council Policy CC01 *Code of Conduct for Elected Members* and Council's Code of Conduct obligatory requirements under the incoming *Local Government Act 2019* and draft Local Government (General) Regulations 2021.

KEY MESSAGES

- Council Policy CC01 *Code of Conduct for Elected Members* has been reviewed and remains relevant whilst the *Local Government Act 2008* is still in force.
- The incoming *Local Government Act 2019* Schedule 1 will govern the conduct of a Member and from its commencement on 1 July 2021 Council Policy CC01 *Code of Conduct for Elected Members* will no longer apply.
- Council's current policy and practice will remain in place until midnight 30 June 2021, when a copy of Schedule 1 of the new Act will be published on Council's website and govern as Council's Code of Conduct.
- Under the current Act, any complaints of an alleged breach of the code of conduct are handled by the Local Government Disciplinary Committee.
- The Local Government Act 2019 places the responsibility of handling complaints received to the Council and for Council to adopt a policy on its process in handling these complaints.
- The new Act legislates the process on a breach of the Code of Conduct and Council has the choice to choose from two options.
- A workshop was held with Elected Members on 9 March 2021, to discuss which option would best suit the Council.
- It is being recommended that Council refer all complaints received to an independent third party to investigate the matter making recommendation back to Council.
- Council will focus on the possibility of conflict resolution to remedy issues before they escalate as a formal complaint.

RECOMMENDATION

1. THAT Report entitled Council Policy Review - CC01 Code of Conduct for Elected Members be received and noted.

2. THAT Council Policy CC01 *Code of Conduct for Elected Members* be rescinded midnight 30 June 2021.
3. THAT Code of Conduct Elected Members and Committee Members being Schedule 1 of the *Local Government Act 2019*, **Attachment 13.2.7.2** to Report entitled Council Policy Review - CC01 Code of Conduct for Elected Members be received and published on the Council website on the commencement of the *Local Government Act 2019* being 1 July 2021.
4. THAT Council adopt Breach of Code of Conduct by Elected Member being **Attachment 13.2.7.3** to Report entitled Council Policy Review - CC01 Code of Conduct for Elected Members as a policy of Council on the commencement of the *Local Government Act 2019* being 1 July 2021.

BACKGROUND

The *Local Government Act 2008* allowed councils to adopt the provisions set out in Schedule 2 of the Act to constitute as a Code of Conduct.

At its Ordinary Council Meeting held on 12 December 2017 Council adopted Schedule 2 of the Act to constitute as its Code of Conduct for Elected Members. The Code of Conduct was adopted as a policy of Council being CC01 *Code of Conduct for Elected Members* which is now due for review.

Council Policy CC01 has been reviewed and remains compliant whilst the *Local Government Act 2008* is still in force. Once the new Act commences on 1 July 2019 Council Policy CC01 no longer applies.

DISCUSSION

All Council Policies are reviewed at least once during its Council Term to ensure they are consistent with current legislation and Council's processes. In preparation for the incoming *Local Government Act 2019* all policies are being reviewed to ensure they are consistent, and that Council is compliant in the changeover of legislation effective 1 July 2021.

Council Policy CC01 *Code of Conduct for Elected Members* has been reviewed against Council's current practice and new requirements. The incoming Act does not require Council to hold a policy on a Code of Conduct, however, requires Council to adopt a policy on a Breach of a Code of Conduct.

Code of Conduct

Council Policy CC01 *Code of Conduct for Elected Members* is found to still be relevant with legislative obligations currently in force, until 1 July 2021 where the *Local Government Act 2019* comes into effect.

Schedule 1 of the *Local Government Act 2019* sets out the new Code of Conduct for Elected Members and Committee Members. The intent of the incoming Code of Conduct requirements remain the same, however it should be noted some additions have been made, being the:

4. Inclusion of 'Prohibition on bullying';
6. Respect for cultural diversity now includes 'and culture';
7. The clause under Conflict of Interest has been strengthened;
9. An additional clause under Gifts relating to person's interest; and
12. Inclusion of 'Training'.

The Act 2019 no longer provides discretion to the Council and the Schedule governs the conduct of Members and therefore is not required in a policy of Council. Policies that simply restate legislative requirements are superfluous in nature, unnecessary and can cause issues in duplication.

The incoming Act however does require Council to publish a copy of the Schedule on the Council website from 1 July 2021.

It is being recommended that Council Policy CC01 *Code of Conduct for Elected Members* remain in place until midnight 30 June 2021 and that copy of Schedule 1 provided at **Attachment 13.2.7.1** constitute as Council's Code of Conduct for Elected Members and Committee Members effective from 1 July 2021.

Breach of Code of Conduct

Previously, any complaints of an alleged breach of the Code of Conduct against an Elected Member were lodged with and handled by the Local Government Disciplinary Committee. The incoming Act now requires complaints of an alleged breach be lodged with the Chief Executive Officer for the Council to consider and for Council to adopt a policy in relation to its process of handling complaints received.

Council currently has no policy in place in relation to a Breach of the Code of Conduct.

It should be noted that the Code of Conduct applies to Elected Members and Committee Members, however the required policy on a breach of the Code of Conduct, only applies to Elected Members.

The new Act legislates the process in handling a complaint and provides two options for Council to choose from. A workshop was held with Elected Members on 9 March 2021 to discuss the two policy approaches and potential risks to Council.

Council will focus on the possibility of conflict resolution to remedy issues before they are escalated as formal complaints. Code of Conduct complaints should be managed in a way that prioritises constructive outcomes for all parties.

The two policies approaches are:

1. Option 1 – Referral to a third party (recommended)

Whereby Council refers all complaints to a independent qualified third party for investigation and advice before it decides the matters as the Council.

The third party could be a dispute practitioner, a mediator, a person experienced in local government matters or a person experienced in conflict resolution.

Once the third party has considered the complaint, advice and recommendation will be made back to Council for a final determination.

Following the workshop this option is recommended as it ensures the complaint is handled by a person qualified to appropriately investigate these matters. It also ensures the Council is being open, transparent, and consistent in its approach and eliminates the risk of conflict by Members. Council currently undertakes this process on a numerous of other matters to avoid risk to the Council.

2. Option 2 – All Options

Whereby Council considers all complaints on a case-by-case basis, to either refer the complaint to a third party, refer the complaint to a Council Panel or to decide the matters as the Council.

During the workshop a number of risks were identified with this Option including, Members not being appropriately trained or qualified in handling these types of sensitive matters, the instance where the majority of Members hold a conflict of interest and Council being inconsistent in its approach.

Summary

Following the workshop, a policy approach has been drafted where all complaints received will be referred to an independent third party, **Attachment 13.2.7.3**.

It was agreed that this option would reduce the risk to the Council to ensure these matters are handled appropriately by a qualified person, ensuring that the Council is open, transparent, and accountable in its decision making.

Consideration has been given to the policy where Council can make the initial determination whether the Council or Panel of selected Elected Members make the final determination. The Department of the Chief Minister and Cabinet recommend that a Panel consist of a three Elected Members one nominated as chairperson.

It is also recommended that Council focus on the possibility of conflict resolution to remedy issues before they escalate as a formal complaint.

It should be noted that when a complaint is initially received by an Elected Member (the complainant) the complainant or respondent may refer the complaint directly to the Local Government Association of the Northern Territory (LGANT) for a decision rather than the Council. In this instance Council would still be informed of the Complaint, with updates provided on the matter by the Chief Executive Officer (CEO) as received by LGANT.

The Department of the Chief Minister and Cabinet have developed the Beach of Code of Conduct complaint form, the form is approved by the Department and Council is not involved in drafting the form. Council is required to publish this form on the Council Website from 1 July 2021, a copy of the draft form is provided at **Attachment 13.2.7.4**.

CONSULTATION PROCESS

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

- Department of the Chief Minister and Cabinet

In preparing this report the following internal staff were consulted:

- Governance and Strategy Manager

Community consultation is not required for Council Policy Breach of Code of Conduct by Elected Member as it is legislative requirement.

POLICY IMPLICATIONS

Policies must be consistent with Council's Code of Conduct.

Council Policy CC01 *Code of Conduct for Elected Members* is currently Schedule 2 of the *Local Government Act 2008* and will remain in place until midnight 30 June 2021 whilst the current *Act* is still in force.

Schedule 1 of the *Local Government Act 2019* sets out the Code of Conduct for Elected Members and Committee Members and from 1 July 2021 will not be required as policy of Council. The schedule governs the conduct of members and is no longer a choice.

Council is required to adopt a policy on breach of code of conduct by Elected Members to come into effect on 1 July 2021.

BUDGET AND RESOURCE IMPLICATIONS

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

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

The current Code of Conduct and disciplinary committee processes are still in force under the *Local Government Act 2008* and Council must ensure it remains compliant until midnight 30 June 2021.

In preparation for the incoming legislation, new policies and processes have been prepared and to avoid any risk of non-compliance to the Council it is recommended that these be adopted to come into effect on the commencement of the *new Act and Regulations* on 1 July 2021.

The *Local Government Act 2019* and *Local Government (General) Regulations 2021* provides for a complaint handling process for alleged breaches of the Code of Conduct by Elected Member.

It is important for Elected Members to be aware of the incoming provisions under the new *Act and Regulations* and their duties and obligations under the Code of Conduct and when a complaint is made against a Council Member.

Complaints received will only formally be discussed in a closed session of Council, however once Council has made its decision, a summary of decision will be tabled as part of next Council Meeting's public business papers.

Council is required to publish Schedule 1 of the *Local Government Act 2019* as its Code of Conduct for Elected Members and Committee Members on the Council website.

This report addresses the following City of Palmerston Strategic Risks:

- 4 Fails to effectively design and implement contemporary governance practices
Context: Strong foundations to hold the Council and Administration to account with clear and transparent performance reporting.

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

1. Council Policy CC01 Code of Conduct for Elected Members [**13.2.7.1** - 2 pages]
2. Code of Conduct for Elected Members and Committee Members [**13.2.7.2** - 2 pages]
3. Draft Council Policy - Breach of Code of Conduct by Elected Member [**13.2.7.3** - 6 pages]
4. Breach of Code of Conduct Complaint Form [**13.2.7.4** - 3 pages]

CC01

Name:	Code of Conduct for Elected Members		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Chief Executive Officer		
Approval Date:	12/12/2017	Next Review Date:	1/10/2019
Records Number:	365898	Council Decision:	8/2976

1 PURPOSE

This policy sets out the conduct obligations of members of the Council, local boards and Council committees as required by sections 77 and 78 of the Local Government Act 2008

2 PRINCIPLES

Policies of the city of Palmerston are guided by principles of sustainability, good governance, advocacy, regulation and service provision. More guidance is provided in Council and Administrative policies, procedures and guidelines, The Municipal Plan, Asset Management Plans and other relevant documents.

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Term	Definition
Elected Member	Individuals elected to Council, including the Mayor
Local boards	Any local board established by City of Palmerston in accordance with Part 5.1 of the Local Government Act 2008
Council committees	Any Council committee established in accordance with Part 5.2 of the Local Government Act 2008

4 POLICY STATEMENT

4.1 City of Palmerston has chosen to adopt the provisions of schedule 2 of the Act as the Code of Conduct for Elected members.

Honesty and integrity

A member must act honestly and with integrity in performing official functions.

Care and diligence

A member must act with reasonable care and diligence in performing official functions.

Courtesy

A member must act with courtesy towards other members, council staff, electors and members of the public.

Conduct towards council staff

A member must not direct, reprimand, or interfere in the management of, council staff.

Respect for cultural diversity

A member must respect cultural diversity and must not therefore discriminate against others, or the opinions of others, on the ground of their cultural background.

CC01

Conflict of interest

A member must, if possible, avoid conflict of interest between the member's private interests and official functions and responsibilities.

Where a conflict in fact exists, the member must comply with the member's statutory obligations of disclosure.

Respect for confidences

A member must respect the confidentiality of information obtained in confidence in the member's official capacity.

A member must not make improper use of confidential information obtained in an official capacity to gain a private benefit or to cause harm to another.

Gifts

A member must not solicit or encourage gifts or private benefits from any person who might have an interest in obtaining a benefit from the council.

Accountability

A member must be prepared at all times to account for the member's performance as a member and the member's use of council resources.

Interests of municipality to be paramount

A member must act in what the member genuinely believes to be the best interests of the municipality.

In particular, a member must seek to ensure that the member's decisions and actions are based on an honest, reasonable, and properly informed judgment about what will best advance the best interests of the municipality.

4.2 Implementation and Delegation

The Chief Executive Officer is responsible for managing implementation of this policy.

4.3 Evaluation and Review

This should be reviewed once in the term of each Council.

5 ASSOCIATED DOCUMENTS

- 5.1 Elected Members Policy
- 5.2 Elected Members Benefits and Support Policy
- 5.3 Conflict of Interest
- 5.4 Caretaker Policy
- 5.5 Political Involvement in Council Events
- 5.6 Code of Conduct for Elected Members

6 REFERENCES AND RELATED LEGISLATION

- 6.1 Local Government Act
- 6.2 Local Government (Accounting) Regulations
- 6.3 Local Government (Administration) Regulations
- 6.4 Local Government (Electoral) Regulations

Name:	Code of Conduct for Elected Members and Committee Members
Type:	Code of Conduct
Owner:	Chief Executive Officer
Responsible Officer:	Governance Lead

1 SCHEDULE 1

The *Local Government Act 2019* Code of Conduct set out in Schedule 1 governs the conduct of members of an audit committee, a council, a council committee and a local authority:

1. **Honesty and integrity**
A member must act honestly and with integrity in performing official functions.
2. **Care and diligence**
A member must act with reasonable care and diligence in performing official functions.
3. **Courtesy**
A member must act with courtesy towards other members, council staff, electors and members of the public.
4. **Prohibition on bullying**
A member must not bully another person in the course of performing official functions.
5. **Conduct towards council staff**
A member must not direct, reprimand, or interfere in the management of, council staff.
6. **Respect for cultural diversity and culture**
 - 6.1. A member must respect cultural diversity and must not therefore discriminate against others, or the opinions of others, on the ground of their cultural background.
 - 6.2. A member must act with respect for cultural beliefs and practices in relation to other members, council staff, electors and members of the public.
7. **Conflict of interest**
 - 7.1. A member must avoid any conflict of interest, whether actual or perceived, when undertaking official functions and responsibilities.
 - 7.2. If a conflict of interest exists, the member must comply with any statutory obligations of disclosure.
8. **Respect for confidences**
 - 8.1. A member must respect the confidentiality of information obtained in confidence in the member's official capacity.
 - 8.2. A member must not make improper use of confidential information obtained in an official capacity to gain a private benefit or to cause harm to another.
9. **Gifts**
 - 9.1. A member must not solicit, encourage or accept gifts or private benefits from any person who might have an interest in obtaining a benefit from the council.

9.2. A member must not accept a gift from a person that is given in relation to the person's interest in obtaining a benefit from the council.

10. Accountability

A member must be prepared at all times to account for the member's performance as a member and the member's use of council resources.

11. Interests of municipality, region or shire to be paramount

11.1. A member must act in what the member genuinely believes to be the best interests of the municipality, region or shire.

11.2. In particular, a member must seek to ensure that the member's decisions and actions are based on an honest, reasonable and properly informed judgment about what best advances the best interests of the municipality, region or shire.

12. Training

A member must undertake relevant training in good faith.

2 ASSOCIATED DOCUMENTS

2.1 *Council Policy Breach of Code of Conduct by Elected Member*

3 REFERENCES AND RELATED LEGISLATION

3.1 *Local Government Act 2019*

Name:	Breach of Code of Conduct by Elected Member		
Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Governance Lead		
Approval Date:	1/07/2021	Next Review Date:	1/07/2025
Records Number:		Council Decision:	

1 PURPOSE

This policy sets out how Council will manage a complaint received in relation to a breach of the Code of Conduct by Elected Member.

2 PRINCIPLES

In managing complaints, Council's guiding principles are to:

- Promote behaviour amongst all Elected Members that meets the standards set out in the Code of Conduct, with a restorative approach that seeks to focus on constructive outcomes;
- Emphasis a preference that disputes, and allegations be identified and resolved before they escalate to the stage of a formal complaint; and
- Recognise the leadership role of the Mayor and the responsibility of all members to work together collaboratively pursuant to their corporate responsibilities.

3 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Term	Definition
Code of Conduct	means the Code of Conduct set out in Schedule 1 of the <i>Local Government Act (the Act)</i> .
Complainant	means the person who lodges a Code of Conduct complaint against an Elected Member (this person can be an Elected Member or member of the public).
Respondent	means the Elected Member who is alleged to have breached the Code of Conduct
Conflict of Interest	means if a person has a personal or financial interest in a matter, either actual or perceived.

4 POLICY STATEMENT

4.1 Promoting appropriate behaviour

- 4.1.1 All Elected Members are to promote appropriate behaviour that meets the standards set out in the Code of Conduct.
- 4.1.2 Any Elected Member aggrieved in relation to a potential Code of Conduct matter should raise the grievance in the first instance with the Mayor to seek a resolution. If the grievance is in relation to the Mayor, the grievance should be raised with the Deputy Mayor.
- 4.1.3 In response to a potential Code of Conduct complaint matter, the Mayor or Deputy Mayor will engage in informal discussions with the affected parties, as appropriate, to seek to resolve the matter.

4.2 Confidentiality

- 4.2.1 Information regarding a complaint is confidential, including the complaint form, statements from any parties, and reports provided by the Chief Executive Officer (CEO) regarding the status of a complaint.
- 4.2.2 Complaints will only be formally discussed by the Council during confidential sessions. Minutes kept by the Council are confidential in accordance with regulation 50(1)(f) of the *Local Government (General) Regulations 2021*.

4.3 Complaint requirements

- 4.3.1 The Act requires that a complaint alleging a breach of a Code of Conduct must:
 - (a) Be submitted on the Breach of Code of Conduct by Elected Member Complaint Form (available on the Council website) and;
 - (b) Be submitted within three months of the alleged breach of the Code of Conduct.
- 4.3.2 A Code of Conduct complaint must be lodged with the CEO, who will assess whether the complaint complies with Section 4.3.1. If it appears that a complaint does not comply, the CEO will notify the complainant of the issues with the form as soon as practicable and allow the complainant the opportunity to lodge a revised complaint.

4.4 Notifications to Parties

- 4.4.1 When a complaint is received, the CEO will provide notification to the complainant and the respondent, in accordance with the requirements of *the Act* and *Local Government (General) Regulations 2021*.
- 4.4.2 The CEO carries out the role of secretariat in relation to a complaint and communicates with complainant, respondent and any relevant witness on behalf of the Council.

4.5 Referral to Local Government Association of the NT (LGANT)

The CEO will refer the matter to LGANT if a complainant Elected Member or respondent has elected to refer the complaint to LGANT under section 124(3) of *the Act*.

Note: A complainant who is not an Elected Member does not have the option to request referral to LGANT.

4.6 Initial consideration by Council

- 4.6.1 The CEO will refer the complaint to the Council for consideration in a confidential session in the next available Council Meeting unless the complaint has been referred to LGANT in accordance with section 4.5.
- 4.6.2 Before the Council Meeting, the CEO will establish a suitable third party who does not have a conflict of interest and is willing to accept a referral of the matter.
- 4.6.3 The CEO will provide a copy of the complaint, any response from the respondent and a draft term of reference for Council's consideration.
- 4.6.4 The complainant, respondent, and any Elected Member with a conflict of interest in relation to the complaint are required to leave the meeting during any discussion, consideration or decision relating to the complaint.
- 4.6.5 Council will determine by resolution whether the matter will be considered by Council or a panel of selected Elected Members (Council Panel).
- 4.6.6 The composition of the Council Panel will be a minimum of three Elected Members, one of which nominated as Chairperson.
- 4.6.7 In the instance where a minimum of three Elected Members can not be formed due to conflict of interest or absenteeism, Council will consider alternative options.
- 4.6.8 Should a conflict of interest arise throughout the investigation process, a further report will be provided to Council.

4.7 Referral to third party

- 4.7.1 Council will refer all complaints to an independent third party for advice and recommendation.
- 4.7.2 Examples of a third party are:
- a dispute practitioner
 - a mediator
 - a person experienced in local government matters
 - a person experienced in conflict resolution
- 4.7.3 The terms of reference will include that the third party is to do the following:
- (a) Consider the complaint and discuss with each of the parties;
 - (b) Explore and follow up avenues for resolution between the parties;
 - (c) If resolution is not achievable, then the third party is to:
 - (i) Ensure natural justice is provided to both parties;
 - (ii) Interview any witness willing to assist if necessary, to form a view;
 - (iii) Provide a written report to Council by a specified date covering the process, summary of evidence, attempts to resolve and recommendation;
 - (iv) Provide a draft decision notice that may be used if Council decide to adopt the recommendation.
- 4.7.4 Any requests for information from Council employees will be appropriately directed and facilitated through the CEO.

4.8 Process

- 4.8.1 Upon receiving the advice and any recommendations from the third party, provided the Council/Council Panel is satisfied that each party has been able to put their case and respond to any allegations of the other party, the Council will then decide the complaint.
- 4.8.2 The Council/Council Panel is not bound by any advice or recommendation received from the third party.

4.9 Decision

- 4.9.1 The Council/Council Panel will decide the complaint after the following steps have been completed:
- (a) The Members have considered the written complaint;
 - (b) The Members have considered all written submissions and statement; and
 - (c) The members have read and considered the report from the third party.
- 4.9.2 The Council/Council Panel can make the following decisions:
- (a) To take no action (and not make a decision about whether the respondent breached the Code of Conduct);
 - (b) That the respondent did not breach the Code of Conduct; or
 - (c) That the respondent breached the Code of Conduct.
- 4.9.3 If the complainant is found by the Council/Council Panel to have breached the Code of Conduct, the Council/Council Panel may decide to:
- (a) Take no action (for example, if it is evident that appropriate steps have already taken place to address the conduct or the issues has been resolved between the affected parties); or
 - (b) either or both of the following:
 - (i) issue a reprimand to the respondent (for example, a reprimand may be a formal expression of disapproval in writing in the decision notice);
 - (ii) recommend that the complainant, respondent or any other person attend training, mediation or counselling by a specified date.

- 4.9.4 In choosing from the above options, preference will be given to the option that the Council/Council Panel considers most likely to result in a constructive outcome.
- 4.9.5 If training, mediation or counselling is recommended to an Elected Member, the Elected Member may use their Professional Development Allowance, if available, towards the cost of the training, mediation or counselling.

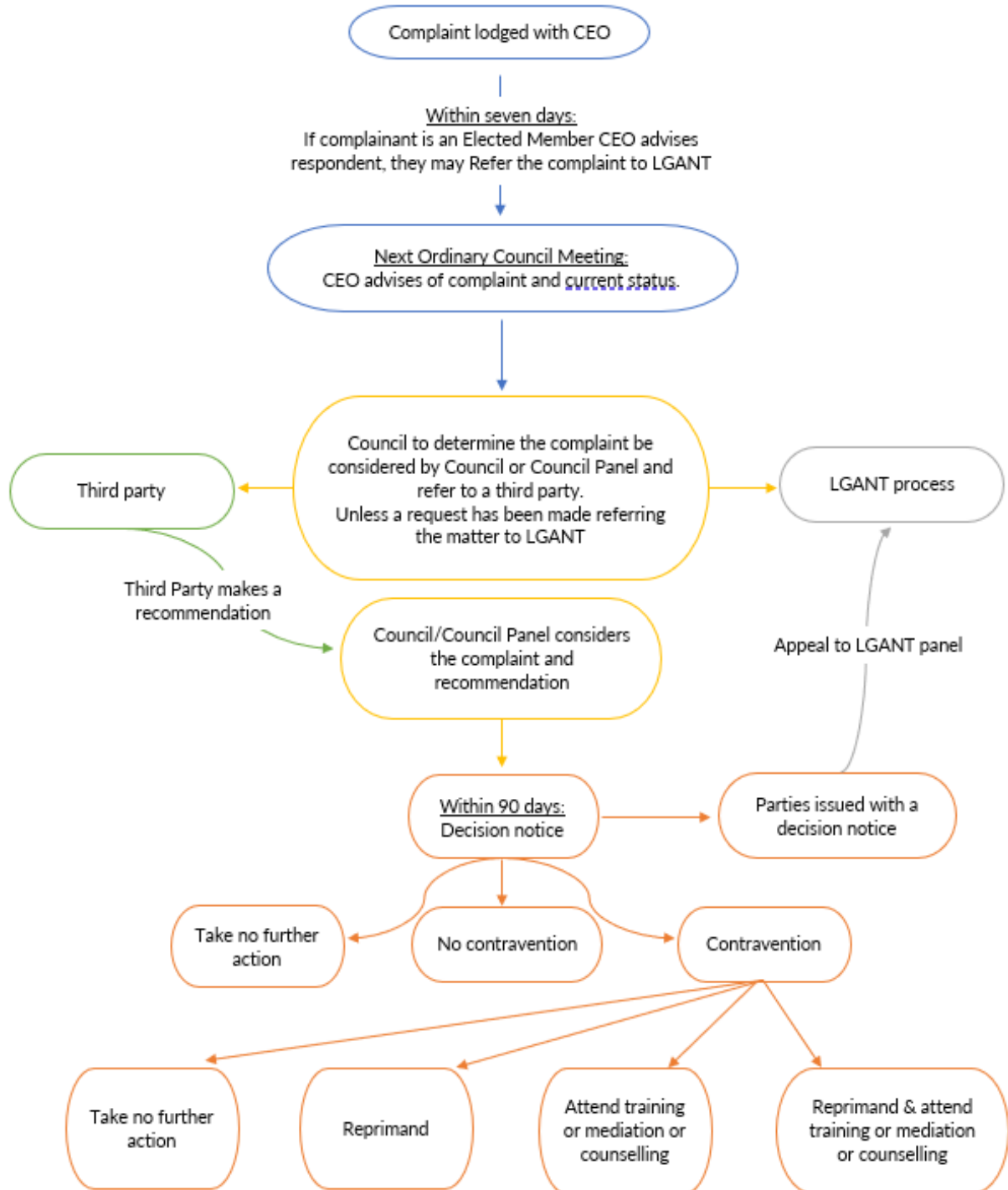
4.10 Decision notice

- 4.10.1 After the Council/Council Panel decides the complaint, the CEO will, as soon as practicable, draft a written decision notice that sets out the following matters:
 - (a) the Council's/Council Panel's decision and the reasons for it; and
 - (b) any right the person to whom the notice is to be given has, under the *Local Government Act 2019* or another Act, to apply for a review of the decision, to apply for a consideration of the matter or to appeal the decision.
- 4.10.2 The draft decision notice is to be electronically provided via email to the Chair of the meeting which the Council/Council Panel decided the complaint. The Decision Notice is to be authorised by the Chair in writing by return email.
- 4.10.3 Within 90 days of receipt of the complaint initially received by the CEO, and as soon as practicable after Council's/Council Panel's decision, the CEO will provide the authorised decision notice to the complainant and the respondent.
- 4.10.4 The decision notice will set out the decision and the reasons for the decision. It will also state that within 28 days of receiving the notice, either party may apply to LGANT to reconsider the complaint.

4.11 Summary of decision

- 4.11.1 After the expiry of the 28 day appeal period, the CEO will seek advice from LGANT as to whether any of the parties have applied to LGANT for consideration of the complaint under section 126(3) of the Act.
- 4.11.2 If no parties have applied to LGANT for consideration of the complaint, the CEO will prepare a summary of the decision to be reviewed by the Council/Council Panel in the confidential session of the next meeting of Council/Council Panel.
- 4.11.3 The summary of the decision is to set out the following information:
 - (a) the names of the complainant and respondent;
 - (b) the date of the decision;
 - (c) a concise description of the conduct alleged to have been a breach of the Code of Conduct;
 - (d) if a Code of Conduct was found to be breached – the item(s) of the Code of Conduct that the respondent contravened; or
 - (e) if a Code of Conduct was not found to be breached – that no contravention of the Code of Conduct was established by the Council/Council Panel; and
 - (f) any actions or recommendations made by the Council.
- 4.11.4 The Council will consider the summary of the decision and, subject to the Council's approval of the information that is to be included, finalise the summary.
- 4.11.5 The approved summary is to be tabled in the open section of the next Ordinary Council Meeting as part of Council's public business papers.

5 FLOWCHART



6 ASSOCIATED DOCUMENTS

- 6.1 *Code of Conduct for Elected Members and Committee Members*
- 6.2 *Breach of Code of Conduct by Elected Member Complaint Form*

7 REFERENCES AND RELATED LEGISLATION

- 7.1 *Local Government Act*
- 7.2 *Local Government Regulations*
- 7.3 *Information Act*

Breach of Code of Conduct complaint form

1. Your name: <i>You are the complainant.</i>	
2. Name of the council member who is alleged to have breached the Code of Conduct: <i>This person is the respondent.</i>	
3. Name of the relevant council:	
4. List the item number(s) of the Code of Conduct that you allege the respondent has breached:	
5. Do you <u>request</u> that the Council refer your complaint to a third party for advice before the Council decides your complaint? <i>Note: this is only a request – it is a council decision whether to refer your complaint to a third party.</i>	Please select one: <input type="checkbox"/> Yes <input type="checkbox"/> No
6. Are you a council member of the relevant council? Relevant council means the local government council in which the respondent is a council member.	Please select one: <input type="checkbox"/> Yes (proceed to question 7) <input type="checkbox"/> No (proceed to next page)
Only answer Question 7 if you are a council member of the relevant council	
7. Do you want your complaint <u>referred</u> to the Local Government Association of the Northern Territory (LGANT) for a decision, rather than the Council? <i>If a council member of the Council selects 'Yes', the complaint will automatically be referred to LGANT.</i>	Please select one: <input type="checkbox"/> Yes <input type="checkbox"/> No

Please proceed to the next page.

NOTES:

1. Your complaint must be made within 3 months of the alleged breach.
2. You must give full particulars of the alleged breach, or breaches, explain the basis of your complaint with reference to which item(s) of the Code of Conduct you allege have been breached, state the evidence on which your complaint relies, and complete the required statutory declaration.
3. If additional pages or documents are attached, you must number and identify each extra page as part of your declaration. You must sign and date each page and ensure that it is signed and dated by a witness.
4. If witness statements are attached, a separate statutory declaration must be provided from each witness.
5. To lodge your complaint, attach this form, any attachments and the statutory declaration to an email and send the email to the CEO of the Council (or otherwise print all documents, address your complaint to the CEO of the Council and post it to the Council). Request acknowledgement of receipt of your complaint.
6. Lodging a complaint does not relieve you from a legal obligation to make other reports (if relevant), including mandatory reporting requirements under legislation.

.....
Your signature

Date:

Signature of witness

Date:

8. Details of the respondent's alleged breach, or breaches, of the Code of Conduct:

*Detail in full, by stating each item of Code of Conduct alledged to have been breached.
Support your claim in relation to each breach with full particulars.*

.....
Your signature

Date:

Signature of witness

Date:

THE NORTHERN TERRITORY OF AUSTRALIA

STATUTORY DECLARATION

I,

(Your full name and address)

solemnly and sincerely declare that

(Name of the respondent council member)

has committed a breach, or breaches, of the Code of Conduct as described in the completed Code of Conduct complaint form and attachments.

I further solemnly and sincerely declare that all of the information attached and provided in relation to this statutory declaration is true.

This declaration is true and I know it is an offence to make a statutory declaration knowing it is false in a material particular.

Declared at the day of 20.....

(Place you are making the declaration)

(Date)

(Month)

(Year)

Signed:

(Your signature)

Witnessed by:

(Signature of the person before whom the declaration is made)

.....

(Full name of witness)

.....

(Contact address or phone number of witness)

NOTES:

1. This declaration may be witnessed by any person who is at least 18 years of age.
2. This written statutory declaration must comply with Part 4 of the *Oaths Affidavits and Declarations Act 2010*.
3. Making a declaration knowing it is false in a material particular is an offence for which you may be fined or imprisoned.

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.2.8
REPORT TITLE:	Palmerston Animal Management Advisory Committee Meeting Minutes - 24 February 2021
MEETING DATE:	Tuesday 16 March 2021
AUTHOR:	Executive Assistant to Chief Executive Officer, Tree Malyan
APPROVER:	Director Lifestyle and Community, Amelia Vellar

COMMUNITY PLAN

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

PURPOSE

This report provides Council with the unconfirmed minutes of the Palmerston Animal Management Advisory Committee from the meeting held on Wednesday 24 February 2021.

KEY MESSAGES

- The Palmerston Animal Management Advisory Committee met on Wednesday 24 February 2021.
- The minutes of the Palmerston Animal Management Advisory Committee meeting held on Wednesday 25 November 2020 were confirmed.
- The Palmerston Animal Management Advisory Committee will be bringing forward the next meeting to be held on Wednesday 31 March 2021 to discuss the Animal Management By-laws discussion paper.

RECOMMENDATION

1. THAT Report entitled Palmerston Animal Management Advisory Committee Meeting Minutes - 24 February 2021 be received and noted.
2. THAT the unconfirmed Palmerston Animal Management Advisory Committee minutes provided as **Attachment 13.2.8.1** to the Palmerston Animal Management Advisory Committee Meeting Minutes - 24 February 2021 be received and noted.
3. THAT Council notes the next Palmerston Animal Management Advisory Committee meeting will be held on Wednesday, 31 March 2021 at 5.00pm in the Council Chambers, First Floor, Civic Plaza, 1 Chung Wah Terrace Palmerston, to discuss the City of Palmerston Animal Management By-laws discussion paper which is out for public consultation.

BACKGROUND

The Palmerston Animal Management Advisory Committee is an advisory committee to Council consisting of Elected Members, staff, community representatives and stakeholders to further enhance and promote responsible animal management in the Palmerston municipality.

DISCUSSION

The Palmerston Animal Management Advisory Committee was held Wednesday 24 February 2021 with the unconfirmed minutes provided at **Attachment 13.2.8.1**

Items considered by the Committee during this meeting included:

- Animal Education October to December Update.

Copies of the signed acceptance of membership extension on the Palmerston Animal Management Advisory Committee were handed out to meeting attendees. Closing date for receipt of signed extension form is 5.00pm Wednesday 3 March 2021.

As can be actioned under the Palmerston Animal Management Advisory Committee terms of reference, the next meeting has been brought forward to discuss the Animal Management By-laws. It will be held on 31 March 2021 which is within the maximum three months between meetings.

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

This report addresses the following City of Palmerston Strategic Risks:

- 4 Fails to effectively design and implement contemporary governance practices
Context: Strong foundations to hold the Council and Administration to account with clear and transparent performance reporting.

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

1. 20210224 - PALMERSTON ANIMAL MANAGEMENT ADVISORY COMMITTEE (PAMA C)
MEETING MINUTES [13.2.8.1 - 4 pages]



PALMERSTON ANIMAL MANAGEMENT ADVISORY COMMITTEE MEETING MINUTES

WEDNESDAY, 24 FEBRUARY 2021

'A Place for People'



A Place for People

PALMERSTON ANIMAL MANAGEMENT

ADVISORY COMMITTEE MINUTES

Minute Book Page 120

CITY OF PALMERSTON

**Minutes of Palmerston Animal Management Advisory Committee Meeting
held in Council Chambers
Civic Plaza, Palmerston
on Wednesday 24 February 2021 at 5:00pm.**

COMMITTEE MEMBERS

Alderman Amber Garden (Chair)
Mayor Athina Pascoe-Bell
Alderman Sarah Henderson
Jill Pascoe
Andrea Ruske (entered the meeting at 5.08pm)
Territory Families, Housing and Communities, Rebecca Newman

STAFF

Chief Executive Officer, Luccio Cercarelli
Deputy Chief Executive Officer/Director Lifestyle and
Community, Amelia Vellar
Regulatory Services Manager, Jocelyn Cull
Minute Secretary, Tree Malyan

GALLERY

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 5:02pm.

3 APOLOGIES

3.1 Apologies

Moved: Mayor Pascoe-Bell
Seconded: Alderman Henderson

THAT the apologies received from Danny Moore and Katrina Stafford for 24 February 2021 be received and noted.

CARRIED PAMAC9/0198 - 24/02/2021

Initials: _____



A Place for People

PALMERSTON ANIMAL MANAGEMENT

ADVISORY COMMITTEE MINUTES

Minute Book Page 121

3.2 Leave of Absence Previously Granted

Nil.

3.3 Leave of Absence Request

Nil.

4 DECLARATION OF INTEREST

4.1 Committee Members

Nil.

4.2 Staff

Nil.

5 CONFIRMATION OF MINUTES

5.1 Confirmation of Minutes

Moved: Rebecca Newman
Seconded: Alderman Henderson

THAT the minutes of the Palmerston Animal Management Advisory Committee Meeting held on Wednesday, 25 November 2020 pages 116 to 119, be confirmed.

CARRIED PAMAC9/0199 – 24/02/2021

5.2 Business Arising from Previous Meeting

Nil

6 CORRESPONDENCE

Nil.

7 OFFICER REPORTS

7.1 Receive and Note Reports

7.1.1 Animal Education October to December Update

PAMAC9/039

Moved: Jill Pascoe
Seconded: Rebecca Newman

Initials: _____



A Place for People

PALMERSTON ANIMAL MANAGEMENT

ADVISORY COMMITTEE MINUTES

Minute Book Page 122

THAT Report Number PAMAC9/039 entitled Animal Education October to December Update be received and noted.

CARRIED PAMAC9/0200 – 24/02/2021

(Andrea Ruske entered the meeting at 5.08pm)

8 OTHER BUSINESS

8.1 Palmerston Animal Management Advisory Committee Expressions of Interest

Nil.

9 NEXT MEETING

Moved: Jill Pascoe
Seconded: Mayor Pascoe-Bell

THAT the next meeting for the Palmerston Animal Management Advisory Committee be held on Wednesday, 31 March 2021 at 5:00pm in the Council Chambers, First Floor, Civic Plaza, 1 Chung Wah Terrace Palmerston.

CARRIED PAMAC9/0201 – 24/02/2021

10 CLOSURE OF MEETING

Moved: Rebecca Newman
Seconded: Jill Pascoe

THAT the Palmerston Animal Management Advisory Committee Meeting, held in the Council Chambers, Civic Plaza, Palmerston on Wednesday, 24 February 2021 closed at 5:15pm.

CARRIED PAMAC9/0202 – 24/02/2021

Chair

Print Name

Date

Initials:

COUNCIL REPORT

2nd Ordinary Council Meeting

AGENDA ITEM:	13.2.9
REPORT TITLE:	Risk Management and Audit Committee Unconfirmed Minutes - 23 February 2021
MEETING DATE:	Tuesday 16 March 2021
AUTHOR:	Executive Support Officer, Ashlee Gaddes
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 the recommendations from the Risk Management and Audit Committee meeting held on Tuesday 23 February 2021.

KEY MESSAGES

- The Risk Management and Audit Committee met on Tuesday 23 February 2021.
- A new time frame has been recommended for Council's Asset Management Plan.
- The Internal Audit Process regarding COVID-19 has been reviewed and amended to reflect the evolving nature of the pandemic.
- A report on Council's Insurance Portfolio has been requested by the Interim Chair and will be presented at the Risk Management and Audit Committee Meeting on 25 May 2021.

RECOMMENDATION

1. THAT Report entitled Risk Management and Audit Committee Unconfirmed Minutes - 23 February 2021 be received and noted.
2. THAT the unconfirmed Risk Management and Audit Committee minutes provided as **Attachment 13.2.9.1** to report entitled Risk Management and Audit Committee Meeting Minutes – 23 February 2021 be received and noted.
3. THAT Council endorse the recommendations from the Risk Management & Audit Committee meeting held on 23 February 2021:
 - i. THAT Report Number RMA/040 entitled Update on Information Technology Policies Review and IT Disaster Recovery Plan be received and noted.
 - ii. THAT Action Items RMA9/0130 (08/02/2018), RMA9/0131 (08/02/2018) be removed from the Action Report and that these be reported through the Control Improvement Plan.

- iii. THAT the amended Asset Management Program within Report Number RMA/041 noting the due dates for Open Space, Vehicles and Plant being adjusted to July 2021 be received and reported through the Strategic Risk Register Control Improvement Plan.
- iv. THAT Council endorse the Management Responses to the Internal Audit Report, request a renaming of the report to “COVID-19 Process Review (January 2021)” and internal control measures be included in the Strategic Risk Register as control improvements with the following amendments:
 - a. Recognition that regular reports are provided to Council regarding success of services and events.
 - b. Council IT infrastructure i.e., laptops already contain sim cards.
 - c. Council has already committed to upgrade the Archer Waste Management Facility to improve safety and usability.
 - d. Recognition that an event resulting in the closure or restricted access of the Shoal Bay Waste Management Facility would require intervention and management by the Northern Territory Government.
- v. THAT a report regarding Insurance Portfolio be provided to Risk Management and Audit Committee at its meeting on Tuesday 25 May 2021.

BACKGROUND

The Risk Management and Audit Committee (the Committee) is responsible for overseeing the responsibilities of corporate governance, particularly maintaining adequate internal controls over the revenue, expenditure, and assets of the Council.

DISCUSSION

The Risk Management and Audit Committee meeting was held Tuesday 23 February 2021 with the unconfirmed minutes provided at **Attachment 13.2.9.1**

The Risk Management and Audit Committee agenda and reports are available for viewing on the Council's [website](#).

An update was provided to the Committee on the following matters:

- Human Resource Policies Review
- Policy Revision
- IT Policies and IT Disaster Recovery Plan

An update on Council's Asset Management Plan was provided to the meeting presenting new timeframes for completion.

At the RMAC meeting on 27 October 2020 the committee endorsed the revised Asset Management Policy, which was adopted by Council on 3 November 2020. A program to deliver the remaining Asset Management Plans (AMP) was also noted, for inclusion in Council's Strategic Risk Register reporting, and the Control Improvement Plan. The Committee considered a new timeframe for the completion of remaining AMP and the Committee is satisfied with the recommendations within the report.

The Committee reviewed the Internal Audit Report entitled “Post Covid-19 Process Review” and are recommending renaming the report to “COVID-19 Process Review (January 2021)” to reflect the evolving nature of the pandemic. Amendments were also made and added to the recommendations to encompass a detailed and solid scope of control improvements.

In General Business, it was suggested by the Interim Chair, Mr Mark Blackburn that a report be presented to the Committee regarding Council’s insurance portfolio. The report will be presented to the Committee at the next Risk Management and Audit Committee on 25 May 2021.

CONSULTATION PROCESS

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

- Governance Lead

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

Details the risk any decision made from this report may relate to or explain why there is no risk.
What legal information has been sourced to assist with a decision to be made from this report.

This report addresses the following City of Palmerston Strategic Risks:

- 4 Fails to effectively design and implement contemporary governance practices
Context: Strong foundations to hold the Council and Administration to account with clear and transparent performance reporting.

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

1. 20210223 - Risk Management and Audit Committee - MINUTES (2) [13.2.9.1 - 7 pages]

CITY OF PALMERSTON

Minutes of Risk Management and Audit Committee Meeting
held in Council Chambers
1 Chung Wah Terrace, Civic Plaza, Palmerston
on Tuesday 23 February 2021 at 5:00pm

COMMITTEE MEMBERS

Mark Blackburn, Independent Member (Interim Chair)
Steve Bartlett, Independent Member
Mayor Athina Pascoe-Bell
Alderman Amber Garden
Alderman Sarah Henderson

STAFF

Chief Executive Officer, Luccio Cercarelli
Director City Growth and Operations, Nadine Nilon
Director Organisational Services, Silke Maynard
Governance and Strategy Manager, Manu Pillai
Assets Manager, Jarrod Crawley
Minute Secretary, Ashlee Gaddes

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 5:00pm.

Initials:

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Nil.

3.2 Leave of Absence Previously Granted

Nil.

3.3 Leave of Absence Request

Nil.

4 DECLARATION OF INTEREST

4.1 Committee Members

Nil.

4.2 Staff

Nil.

5 CONFIRMATION OF MINUTES

5.1 Confirmation of Minutes

Moved: Mayor Pascoe-Bell
Seconded: Alderman Garden

THAT the minutes of the Risk Management and Audit Committee Meeting held on Tuesday, 27 October 2020 pages 146 to 153, be confirmed.

CARRIED RMA9/0107 – 23/02/2021

5.2 Business Arising from Previous Minutes

Nil.

Initials: _____

6 CONFIDENTIAL ITEMS

6.1 Moving Confidential Items into Open

Nil.

6.2 Moving Open Items into Confidential

Nil.

6.3 Confidential Items

Nil.

7 WORK PLAN

7.1 Action Report

Moved: Steve Bartlett, Independent Member
Seconded: Mayor Pascoe-Bell

THAT the Risk Management and Audit Committee recommend to the Council:

THAT Report Number 9RMA/037 entitled Action Report be received and noted.

CARRIED RMA9/0108 – 23/02/2021

8 FINANCIAL REPORTING

Nil.

9 INTERNAL CONTROLS AND RISK MANAGEMENT

9.1 Update on Human Resource Policies Review

Moved: Alderman Henderson
Seconded: Alderman Garden

THAT Report Number RMA/038 entitled Update on Human Resources Policies Review be received and noted.

CARRIED RMA9/0109 – 23/02/2021

Initials: _____

9.2 Policy Revision Report – February 2021

Moved: Alderman Garden
Seconded: Mayor Pascoe-Bell

THAT the Risk Management and Audit Committee recommend to the Council:

THAT Report Number RMA/039 entitled Policy Revision Report – February 2021 be received and noted.

CARRIED RMA9/0110 – 23/02/2021

9.3 Update on Information Technology Policies and IT Disaster Recovery Plan

Moved: Alderman Henderson
Seconded: Alderman Garden

THAT the Risk Management and Audit Committee recommend to the Council:

1. THAT Report Number RMA/040 entitled Update on Information Technology Policies Review and IT Disaster Recovery Plan be received and noted.
2. THAT Action Items RMA9/0130 (08/02/2018), RMA9/0131 (08/02/2018) be removed from the Action Report and that these be reported through the Control Improvement Plan.

CARRIED RMA9/0111 – 23/02/2021

9.4 Asset Management Plan Update

Moved: Mayor Pascoe-Bell
Seconded: Alderman Henderson

THAT the Risk Management and Audit Committee recommend to the Council:

1. THAT Report Number RMA/041 entitled Asset Management Plan Update be received and noted.
2. THAT the amended Asset Management Program within Report Number RMA/041 noting the due dates for Open Space, Vehicles and Plant being adjusted to July 2021 be received and reported through the Strategic Risk Register Control Improvement Plan.

CARRIED RMA9/0112 – 23/02/2021

Initials: _____

10 WHISTLE BLOWING

Nil.

11 INTERNAL AUDIT

11.1 Post COVID-19 Process Review Internal Audit Report

Moved: Alderman Garden
Seconded: Steve Bartlett, Independent Member

THAT the Risk Management and Audit Committee recommend to the Council:

1. THAT Report Number RMA/042 entitled Post COVID-19 Process Review Internal Audit Report be received and noted.
2. THAT Council endorse the Management Responses to the Internal Audit Report, request a renaming of the report to "COVID-19 Process Review (January 2021)" and internal control measures be included in the Strategic Risk Register as control improvements with the following amendments:
 - Recognition that regular reports are provided to Council regarding success of services and events.
 - Council IT infrastructure i.e., laptops already contain sim cards.
 - Council has already committed to upgrade the Archer Waste Management Facility to improve safety and usability.
 - Recognition that an event resulting in the closure or restricted access of the Shoal Bay Waste Management Facility would require intervention and management by the Northern Territory Government.

CARRIED RMA9/0113 - 23/02/2021

12 EXTERNAL AUDIT

Nil.

13 INFORMATION AND CORRESPONDENCE

Nil.

Initials: _____

14 OTHER BUSINESS

14.1 Insurance Portfolio

Moved: Mark Blackburn, Independent Member (Interim Chair)

Seconded: Steve Bartlett, Independent Member

THAT a report regarding Insurance Portfolio be provided to Risk Management and Audit Committee at its meeting on Tuesday 25 May 2021.

CARRIED RMA9/0114 – 23/02/2021

15 NEXT MEETING

Moved: Mayor Pascoe-Bell

Seconded: Alderman Henderson

THAT the next meeting for the Risk Management and Audit Committee be held on Tuesday, 25 May 2021 at 5:00pm in the Council Chambers, First Floor, Civic Plaza, 1 Chung Wah Terrace Palmerston and be open to the public subject to social distancing restrictions.

CARRIED RMA9/0115 – 23/02/2021

16 CLOSURE OF MEETING

Moved: Alderman Garden

Seconded: Steve Bartlett, Independent Member

THAT the Risk Management and Audit Committee meeting on Tuesday 23 February 2021 closed at 6:36pm.

CARRIED RMA9/0116– 23/02/2021

The Chair declared the meeting closed at 6:36pm.

Chair

Print Name

Initials:



A Place for People

COUNCIL AGENDA
Attachment 13.2.9.1
RISK MANAGEMENT & AUDIT COMMITTEE

MINUTES

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Date

Unconfirmed

Initials:

14 INFORMATION AND CORRESPONDENCE

14.1 Information

14.2 Correspondence

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, 6 April 2021 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 2008 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, 2 March 2021

CITY OF PALMERSTON

**Minutes of Council Meeting
held in Council Chambers
Civic Plaza, 1 Chung Wah Terrace, Palmerston
on Tuesday 2 March 2021 at 5:30pm.**

ELECTED MEMBERS

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

STAFF

Chief Executive Officer, Luccio Cercarelli
Deputy Chief Executive Officer/Director Lifestyle and
Community, Amelia Vellar
Director City Growth and Operations, Nadine Nilon
Director Organisational Services, Silke Maynard
Assets Manager, Jarrad Crawley
Governance and Strategy Manager, Manu Pillai
Urban and Environmental Planner, Damian Scalora
Communications Support Officer, Ashlee Haslop
Minute Secretary, Ashlee Gaddes

GALLERY

ABC Reporter, Jesse Thompson
Urbex Project Director, Tim Bycroft
Zuccoli Village Chairperson, Michael Corcoran
Land Development Corporation CEO, Tony Stubbin
Urbex General Manager, Peter Sherrie

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 5:30pm.

Initials: _____

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Moved: Alderman Spick
Seconded: Alderman Hale

THAT the apology received from Alderman Giesecke for 2 March 2021 be received and noted.

CARRIED 9/1501 – 02/03/2021

3.2 Leave of Absence Previously Granted

Nil.

3.3 Leave of Absence Request

Moved: Alderman Hale
Seconded: Alderman Henderson

1. THAT the leave of absence received from Alderman Morrison for 4 March to 7 March 2021 inclusive be received and noted.
2. THAT the leave of absence received from Alderman Hale for 10 March to 14 March 2021 inclusive be received and noted.

CARRIED 9/1502 – 02/03/2021

4 REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING

Nil.

Initials: _____

5 DECLARATION OF INTEREST

5.1 Elected Members

Moved: Alderman Morrison
Seconded: Alderman Hale

THAT the Declaration of Interest received from Alderman Morrison for Item 25.2.1 be received and noted.

CARRIED 9/1503 - 02/03/2021

5.2 Staff

Nil.

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, 16 February 2021 pages 10326 to 10335, be confirmed.

CARRIED 9/1504 - 02/03/2021

6.2 Business Arising from Previous Meeting

Nil.

7 MAYORAL REPORT

7.1 Mayoral Update Report - 2 March 2021

Moved: Mayor Pascoe-Bell
Seconded: Alderman Henderson

THAT Report entitled Mayoral Update Report - 2 March 2021 be received and noted.

CARRIED 9/1505- 02/03/2021

Initials: _____

8 DEPUTATIONS AND PRESENTATIONS

8.1 Zuccoli Village Development Project and Community

Moved: Alderman Spick
Seconded: Alderman Garden

THAT the presentation by Michael Corcoran, Zuccoli Village Chairperson; Urbex General Manager and Land Development Corporation CEO be received and noted.

CARRIED 9/1506 - 02/03/2021

9 PUBLIC QUESTIONS (WRITTEN SUBMISSIONS)

Nil.

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

25.2.1 Review of Releasing and Retaining Confidential Matters - 5 August 2020 to 22 February 2021

1. THAT Report entitled Review of Releasing and Retaining Confidential Matters - 5 August 2020 to 22 February 2021 be received and noted.
2. THAT the following 10 Council Decisions be moved to the 2 March 2021 Open Minutes:

No.	Decision Number	Meeting Date	Item / Type	Title
1.	9/1007	18/02/2020	25.2.1 Report	2020 Territory Election
2.	9/1072	7/04/2020	28.1 General Business	Splashing Out
3.	9/1093	21/04/2020	25.2.1 Report	Palmerston Swimming and Fitness Centre Splashing Out Update - April 2020
4.	9/1178	16/06/2020	26.2.1 Correspondence	Approved Funding for the Gray Community Hall Expansion Project
5.	9/1193	7/07/2020	25.2.3 Report	Gray Community Hall Expansion Project

Initials: _____

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6.	9/1258	18/08/2020	25.2.1 Report	2020 Territory Election Commitments - Labor Government
7.	9/1305	15/09/2020	27.1 Question by Member	Palmerston Youth Centre Community Room Use
8.	9/1306	15/09/2020	27.2 Question by Member	Cyclone Clean Up
9.	9/1398	17/11/2020	25.2.1 Report	Palmerston Youth Centre - Request for Upgrade
10.	9/1191	7/07/2020	25.2.1 Report	Rent Relief Mosko's Cafe - 10 The Boulevard Palmerston

CARRIED 9/1524- 02/03/2021

25.2.2 Animal Management By-Laws Review Discussion Paper and Survey Questions

Moved: Alderman Garden
Seconded: Alderman Henderson

1. THAT Report entitled Animal Management By-Laws Review Discussion Paper and Survey Questions be received and noted.
2. THAT Council adopt the Animal Management By-Laws Review Discussion Paper and accompanying survey questions for the purpose of Community Consultation for a sixty-day period, as detailed within Report entitled Animal Management By-Laws Review Discussion Paper and Survey Questions, including minor amendments to clarify issues relating to dangerous dogs and nuisance animals.
3. THAT a Report on the outcomes of Community Consultation regarding the Animal Management By-Laws Review Discussion Paper and survey questions be presented to Council following conclusion of the consultation period at the Second Ordinary Meeting in May 2021.
4. THAT the Report and Council Decisions relating to Report entitled Animal Management By-Laws Review Discussion Paper and Survey Questions be moved to the Open Minutes at the Council Meeting of 2 March 2021.

CARRIED 9/1525 - 02/03/2021

Initials: _____

10.1.1 Territory Election

1. THAT Report Number C9/0367 entitled 2020 Territory Election be received and noted.
2. THAT Council endorse Mayor Pascoe-Bell, Deputy Mayor Morrison and Alderman Henderson to engage with the leaders or their representatives of the Australian Labor Party, Country Liberal Party and Territory Alliance Party in the Northern Territory to advocate on priorities for the Palmerston community as part of the 2020 Territory Election as outlined in Report Number C9/0367 entitled 2020 Territory Election.

CARRIED 9/1007 – 18/02/2020

10.1.2 Splashing Out

1. THAT Item 28.1 is considered 'Confidential' pursuant to Section 65(2) of the Local Government Act and 8(c)(i) of the Local Government (Administration) Regulations, 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.
2. THAT the video presentation by the Director of Lifestyle and Community entitled Splashing Out be received and noted.

CARRIED 9/1072 – 07/04/2020

10.1.3 Palmerston Swimming and Fitness Centre Splashing Out Update - April 2020

1. THAT Report entitled Palmerston Swimming and Fitness Centre – Splashing Out Update - April 2020 be received and noted
2. THAT Council endorse the updated Splashing Out - SWELL project budget of \$15 million (GST exclusive) as outlined in Report entitled Palmerston Swimming and Fitness Centre – Splashing Out Update – April 2020, with a funding model of:
 - Australian and Northern Territory Government \$12.5 million
 - City of Palmerston \$ 2.5 million

CARRIED 9/1093 – 21/04/2020

Initials: _____

10.1.4 Approved Funding for the Gray Community Hall Expansion Project

THAT the correspondence received 5 June 2020 from the Deputy Prime Minister being Item 26.2.1 entitled Approved Funding for the Gray Community Hall Expansion Project be received and noted.

CARRIED 9/1178 – 16/06/2020

10.1.5 Gray Community Hall Expansion Project

1. THAT Report entitled Gray Community Hall Expansion Project be received and noted.
2. THAT Council proceed with the Gray Hall Expansion Project as detailed in report entitled Gray Hall Expansion Project noting the project is a demolition of the existing hall and new build.
3. THAT the Council Decisions relating to Report entitled Gray Community Hall Expansion Project be released to the Open Minutes once the funding agreement is executed.

CARRIED 9/1193 – 07/07/2020

10.1.6 2020 Territory Election Commitments - Labor Government

1. THAT Report entitled 2020 Territory Election Commitments - Labor Government be received and noted.
2. THAT Council write to the Chief Minister thanking his government for their 2020 Territory Election commitments to Palmerston and that Council confirms it will work in partnership with a re-elected Labor Government regarding the Government identified initiatives contained within the Chief Ministers letter dated 29 July 2020.

CARRIED 9/1258 – 18/08/2020

10.1.7 Palmerston Youth Centre Community Room Use

THAT the question asked by Alderman Henderson regarding Palmerston Youth Centre Community Room Use and the response provided by Deputy Chief Executive Officer be received and noted.

CARRIED 9/1305 – 15/09/2020

Initials: _____

10.1.8 Cyclone Clean Up

THAT the question asked by Alderman Morrison regarding Cyclone Clean Up and the response provided by Director City Growth and Operations be received and noted.

CARRIED 9/1306 – 15/09/2020

10.1.9 Palmerston Youth Centre – Request for Upgrade

1. THAT Report entitled Palmerston Youth Centre - Request for Upgrade be received and noted.
2. THAT Council approve the renovation of the second room under the Northern Territory Government lease at Lot 4201, 31 Tilston Avenue Moulden to allow it to be used as a program space.
3. THAT the Council Decisions relating to Report entitled Palmerston Youth Centre Request for Upgrade be moved to the open minutes at the time of a related announcement from the Northern Territory Government.

CARRIED 9/1398 – 17/11/2020

10.1.10 Rent Relief Mosko's Cafe - 10 The Boulevard Palmerston

1. THAT Report entitled Rent Relief Mosko's Cafe - 10 The Boulevard Palmerston be received and noted.
2. THAT Council approve a 30 percent waiver in rental costs of \$2268.40 for the three-month period from April to June 2020 for the owners the leasee of Mosko's Market, 10 The Boulevard Palmerston being Mosman Group Pty Ltd, due the COVID-19 pandemic.
3. THAT Council approve a waiver of water, sewerage and waste outgoings of \$132.27 for the three-month period for the leasee of Mosko's Market, 10 The Boulevard Palmerston being Mosman Group Pty Ltd, due the COVID-19 pandemic.

CARRIED 9/1191 – 07/07/2020

10.2 Moving Open Items into Confidential

Nil.

Initials: _____

10.3 Confidential Items

Moved: Alderman Spick
Seconded: Alderman Garden

THAT pursuant to *Section 65(2) of the Local Government Act 2008 and Regulation 8 of the Local Government (Administration) Regulations* the meeting be closed to the public to consider the following confidential items:

ITEM	REASON
25.1.1	<p>This item is considered 'Confidential' pursuant to <i>Section 65(2) of the Local Government Act 2008 and 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.</p> <p>This item is considered 'Confidential' pursuant to <i>Section 65(2) of the Local Government Act 2008 and 8(d) 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 subject to an obligation of confidentiality at law, or in equity.</p>
25.2.1	<p>This item is considered 'Confidential' pursuant to <i>Section 65(2) of the Local Government Act 2008 and Regulation 8(a) 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 about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.</p> <p>This item is considered 'Confidential' pursuant to <i>Section 65(2) of the Local Government Act 2008 and 8(c)(i) 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 cause commercial prejudice to, or confer an unfair commercial advantage on, any person.</p> <p>This item is considered 'Confidential' pursuant to <i>Section 65(2) of the Local Government Act 2008 and 8(c)(ii) 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 maintenance or administration of the law.</p> <p>This item is considered 'Confidential' pursuant to <i>Section 65(2) of the Local Government Act 2008 and 8(c)(iii) of the Local Government (Administration) Regulations</i>.</p>

Initials: _____

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	<p><i>Regulations, 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 security of the council, its members or staff.</i></p> <p>This item is considered 'Confidential' pursuant to Section 65(2) of the <i>Local Government Act 2008</i> and 8(c)(iv) of the <i>Local Government (Administration) Regulations, 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.</i></p> <p>This item is considered 'Confidential' pursuant to Section 65(2) of the <i>Local Government Act 2008</i> and 8(e) of the <i>Local Government (Administration) Regulations, 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 provided to the council on condition that it be kept confidential.</i></p>
25.2.2	<p>This item is considered 'Confidential' pursuant to Section 65(2) of the <i>Local Government Act 2008</i> and 8(c)(iv) of the <i>Local Government (Administration) Regulations, 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.</i></p>

CARRIED 9/1507 - 02/03/2021

11 PETITIONS

Nil.

12 NOTICES OF MOTION

Nil.

13 OFFICERS REPORTS

13.1 Receive and Note Reports

Nil.

Initials: _____

13.2 Action Reports

13.2.1 Palmerston City Centre Parking Strategy Review

Moved: Alderman Morrison
Seconded: Alderman Henderson

1. THAT Report entitled Palmerston City Centre Parking Strategy Review be received and noted.
2. THAT Council approve the continuation of free parking, with a review to be included in the Parking Strategy Implementation Plan on the potential of pricing parking, prior to the end of the City Centre Parking Strategy in 2024.
3. THAT Council approve **Attachment 13.2.1.2** to Report entitled Palmerston City Centre Parking Strategy Review as the updated Parking Strategy Implementation Plan.
4. THAT Council approve the following changes to parking zones;
 - a) Rolyat Street parking time limit is removed.
 - b) Maluka Drive and Wilson Street parking time limit of 4 hours is retained, with the requirement for a ticket removed.
 - c) Palmerston Circuit 30-minute parking zone is changed to a 15 minute zone.

CARRIED 9/1508- 02/03/2021

13.2.2 Sustainability Strategy Update

Moved: Alderman Morrison
Seconded: Alderman Hale

1. THAT Report entitled Sustainability Strategy Update be received and noted.
2. THAT a Council workshop be held for the Sustainability Strategy in March 2021.

CARRIED 9/1509 - 02/03/2021

Initials: _____

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1st Ordinary Council Meeting

13.2.3 Lease Extension - Palmerston Men's Shed

Moved: Alderman Hale
Seconded: Deputy Mayor Lewis

1. THAT Report entitled Lease Extension - Palmerston Men's Shed be received and noted.
2. THAT Council pursuant to Section 32(2) of the *Local Government Act 2008* hereby delegates to the Chief Executive Officer, the power to finalise and enter into a lease for up to three years with the Palmerston Men's Shed Inc. on terms and conditions outlined in the report entitled Lease Extension - Palmerston Men's Shed.

CARRIED 9/1510 - 02/03/2021

13.2.4 Council Policy Review - Caretaker

Moved: Alderman Morrison
Seconded: Alderman Henderson

1. THAT Report entitled Council Policy Review - Caretaker be received and noted.
2. THAT Council adopt amended *Council Policy Caretaker* being **Attachment 13.2.4.3** to Report entitled Council Policy Review - Caretaker.

CARRIED 9/1511 - 02/03/2021

13.2.5 LGANT Call for Nominations - Place Names Committee NT

Moved: Alderman Henderson
Seconded: Alderman Hale

1. THAT Report entitled LGANT Call for Nominations - Place Names Committee NT be received and noted.
2. THAT Council submit a nomination to LGANT nominating Alderman Morrison for consideration as LGANT's representative on the Place Names Committee for the Northern Territory to represent the interests of local government.

CARRIED 9/1512 - 02/03/2021

Initials: _____

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1st Ordinary Council Meeting

13.2.6 LGANT Call for Nominations - NT Planning Commission

Moved: Alderman Henderson
Seconded: Alderman Garden

1. THAT Report entitled LGANT Call for Nominations - NT Planning Commission be received and noted.
2. THAT Council endorse a nomination to LGANT nominating the Chief Executive Officer, Mr. Luccio Cercarelli for consideration as LGANT's representative on the Northern Territory Planning Commission.

CARRIED 9/1513 – 02/03/2021

14 INFORMATION AND CORRESPONDENCE

14.1 Information

Nil.

14.2 Correspondence

LGANT Call for Policy and Action Motions

Moved: Alderman Garden
Seconded: Alderman Hale

THAT Council receive and note Item 14.2 entitled LGANT Call for Policy and Action Motions.

CARRIED 9/1514 – 02/03/2021

15 REPORT OF DELEGATES

Nil.

16 QUESTIONS BY MEMBERS

Nil.

Initials: _____

17 GENERAL BUSINESS

17.1 LGANT Call for Expression of Interest – ALGA Three National Federation Reform Nominations

Moved: Alderman Spick
Seconded: Deputy Mayor Lewis

1. THAT Council accept late correspondence dated 28 February 2021 entitled LGANT Call for Expression of Interest – ALGA Three National Federation Reform Nominations tabled as Item 17.1 at Council Meeting 2 March 2021.
2. THAT correspondence entitled LGANT Call for Expression of Interest – ALGA Three National Federation Reform Nominations be received and noted.
3. THAT Council submit an expression of Interest to LGANT nominating Alderman Spick to the Australian Local Government Association Panel of Mayors (councillors) to support National Federation Reform Council Taskforce on Veterans' Wellbeing to represent the interests of local government as a member of the Panel.
4. THAT Council submit an expression of Interest to LGANT nominating Alderman Henderson to the Australian Local Government Association Panel of Mayors (councillors) to support National Federation Reform Council Taskforce on Women's Safety to represent the interests of local government as a member of the Panel.
5. THAT Council submit an expression of Interest to LGANT nominating Alderman Hale to the Australian Local Government Association Panel of Mayors (councillors) to support National Federation Reform Council Taskforce on Indigenous Affairs to represent the interests of local government as a member of the Panel.

CARRIED 9/1516 – 02/03/2021

18 NEXT COUNCIL MEETING

Moved: Alderman Garden
Seconded: Alderman Morrison

THAT the next Ordinary Meeting of Council be held on Tuesday, 16 March 2021 at 5:30pm in the Council Chambers, First Floor, Civic Plaza, 1 Chung Wah Terrace Palmerston.

CARRIED 9/1517– 02/03/2021

Initials: _____

19 CLOSURE OF MEETING TO PUBLIC

Moved: Alderman Hale
Seconded: Alderman Spick

THAT pursuant to Section 65(2) of the *Local Government Act 2008* 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 9/1518 - 02/03/2021

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Moved: Alderman Morrison
Seconded: Alderman Hale

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

CARRIED 9/1519 - 02/03/2021

The meeting adjourned at 6:12pm.

The open section of the meeting closed at 6:12pm for the discussion of confidential matters.

The Chair declared the meeting closed at 6:43pm.

Chair

Print Name

Date

Initials: