

# MINUTES

## Ordinary Council Meeting Tuesday 5 October 2021

The Ordinary Meeting of the City of Palmerston held in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston, NT 0830

## COUNCIL MINUTES

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

### PRESENT

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#### ELECTED MEMBERS

Mayor Athina Pascoe-Bell (Chair)  
Deputy Mayor Henderson  
Councillor Danielle Eveleigh  
Councillor Mark Fraser  
Councillor Amber Garden  
Councillor Ben Giesecke  
Councillor Damian Hale  
Councillor Lucy Morrison

#### 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  
Executive Assistant to CEO, Jessie Schaecken  
Minute Secretary, Chloe Hayes

#### GALLERY

Nil

Initials: 

## COUNCIL MINUTES

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### 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 05:31 pm.

### 3 APOLOGIES AND LEAVE OF ABSENCE

#### 3.1 Apologies

Nil

#### 3.2 Leave of Absence Previously Granted

Nil

#### 3.3 Leave of Absence Request

Moved: Councillor Eveleigh

Seconded: Councillor Hale

1. THAT the leave of absence received from Councillor Eveleigh for 10 October to 15 October 2021 inclusive be received and noted.
2. THAT the leave of absence received from Councillor Hale for 6 October to 7 October 2021 inclusive be received and noted.
3. THAT the leave of absence received from Councillor Hale for 11 October to 13 October 2021 inclusive be received and noted.

CARRIED 10/35 – 5/10/2021

### 4 REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING

Nil

### 5 DECLARATION OF INTEREST

#### 5.1 Elected Members

Moved: Mayor Pascoe-Bell

Seconded: Councillor Garden

THAT Mayor Pascoe-Bell declared a conflict relating to Item 22.1.

CARRIED 10/22 – 5/10/2021

#### 5.2 Staff

Nil

Initials: 

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Deputy Mayor Henderson  
Seconded: Councillor Hale

THAT the Minutes of the Council Meeting held on Tuesday 21 September pages 10544 to 10551 be confirmed.

CARRIED 10/23 – 5/10/2021

6.2 Business Arising from Previous Meeting

Nil

7 MAYORAL REPORT

Nil

8 DEPUTATIONS AND PRESENTATIONS

Nil

9 PUBLIC QUESTION TIME (WRITTEN SUBMISSIONS)

Nil

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

Nil

10.2 Moving Open Items into Confidential

Nil

10.3 Confidential Items

Nil

11 PETITIONS

Nil

12 NOTICES OF MOTION

Nil

13 OFFICER REPORTS

13.1 Action Reports

Initials: 



## COUNCIL MINUTES

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### 13.1.1 Council Committee Membership

Moved: Councillor Morrison  
Seconded: Councillor Garden

1. THAT Report entitled Council Committee Membership be received and noted.

CARRIED 10/24 – 5/10/2021

Moved: Councillor Eveleigh  
Seconded: Councillor Morrison

2. THAT Council revoke all delegations to Administrative Review Committee.
3. THAT Council pursuant to section 40(2)(b) of the *Local Government Act 2019*, hereby delegate to the Administrative Review Committee the power to make recommendations to Council and decisions relating to undertaking internal reviews in accordance with Part 18.1 of the *Local Government Act 2019*.
4. THAT Council make the following appointments to the Administrative Review Committee:
  - i. THAT the Mayor, Deputy Mayor and Councillor Eveleigh be appointed to the Administrative Review Committee for the period 6 October 2021 to 30 June 2022.
  - ii. THAT the Mayor be appointed as Chair of the Administrative Review Committee for the Term of the 10th Council.
  - iii. THAT all other Councillors be appointed as alternate members to the Administrative Review Committee for the period 6 October 2021 to 30 June 2022.

CARRIED 10/25 – 5/10/2021

Moved: Deputy Mayor Henderson  
Seconded: Councillor Fraser

5. THAT Council revoke all delegations to Chief Executive Officer Performance Appraisal Committee.
6. THAT Council pursuant to section 40(2)(b) of the *Local Government Act 2019*, hereby delegate to the Chief Executive Officer Performance Appraisal Committee comprising of the Mayor, Deputy Mayor, Councillor, and independent facilitator appointed by mutual agreement between the Mayor and Chief Executive Officer the power to conduct and finalise the performance appraisal of the Chief Executive Officer and make recommendations to Council.
7. THAT Council note the Mayor and Deputy Mayor hold permanent positions on the Chief Executive Officer Performance Appraisal Committee pursuant to section 59(e) of the *Local Government Act 2019* and that the Mayor holds the position of Chairperson.

CARRIED 10/26 – 5/10/2021

Initials: 

## COUNCIL MINUTES

Moved: Deputy Mayor Henderson  
Seconded: Councillor Fraser

8. THAT Council make the following appointments to the Chief Executive Officer Performance Appraisal Committee:
- THAT Councillor Garden be appointed to the Chief Executive Officer Performance Appraisal Committee, for the period 6 October 2021 to 30 June 2022.
  - THAT all other Councillors be appointed as alternate members to the Chief Executive Officer Performance Appraisal Committee for the period 6 October 2021 to 30 June 2022.

CARRIED 10/27 – 5/10/2021

Moved: Councillor Garden  
Seconded: Deputy Mayor Henderson

9. THAT Council revoke all delegations to Risk Management and Audit Committee.
10. THAT Council pursuant to section 40(2)(b) of the *Local Government Act 2019*, hereby delegate to the Risk Management and Audit Committee the power to make recommendation to Council and decisions relating to Risk Management and Audit matters:
- Follow up on issues arising from internal and external audits.
  - The management of outstanding and completed audit issues register.
  - The receipt and acceptance of strategic and operational risk assessments.
  - Compliance by Council with proper standards of financial management.
  - Compliance by Council with Local Government Act Compliance Register and accounting standards.
11. THAT Council make the following appointments to the Risk Management and Audit Committee:
- THAT the Mayor, Councillor Henderson and Councillor Garden, be appointed to the Risk Management and Audit Committee for the period 6 October 2021 to 30 June 2022.
  - THAT Council note that the Chair of the Risk Management and Audit Committee is held by an Independent Member, appointed by the Council.
  - THAT all other Councillors be appointed as alternate members to the Risk Management and Audit Committee for the period 6 October 2021 to 30 June 2022.

CARRIED 10/28 – 5/10/2021

Moved: Mayor Pascoe-Bell  
Seconded: Councillor Fraser

12. THAT the Mayor be appointed as Council's delegated representative and the Deputy Mayor as alternate member to the Top End Regional Organisation of Council (TOPROC) for the 10th Council term.

CARRIED 10/29 – 5/10/2021

Initials: 



## COUNCIL MINUTES

Moved: Councillor Giesecke  
Seconded: Councillor Garden

13. THAT Councillor Fraser be appointed as Council's delegate to the Palmerston Regional Business Association (PRBA) with all other members appointed as alternate members for the period 6 October 2021 to 30 June 2022.

MOTION LOST

*Mayor Pascoe-Bell exercised the casting vote and declared the motion lost.*

Moved: Mayor Pascoe-Bell  
Seconded: Deputy Mayor Henderson

14. THAT Councillor Eveleigh be appointed as Council's delegate to the Palmerston Regional Business Association (PRBA) with all other members appointed as alternate members for the period 6 October 2021 to 30 June 2022.

CARRIED 10/30 – 5/10/2021

Moved: Councillor Hale  
Seconded: Councillor Garden

15. THAT Councillor Morrison be appointed as Council's representative to Tourism Top End with Councillor Henderson appointed as alternate member for the period 6 October 2021 to 30 June 2022.

CARRIED 10/31 – 5/10/2021

Moved: Councillor Eveleigh  
Seconded: Councillor Morrison

16. THAT Council not hold any advisory committee meetings until it has considered the outcome of the Committee review including the IDA framework and Palmerston Local Economic Plan in November 2021.

CARRIED 10/32 – 5/10/2021

### 13.1.2 Palmerston Division of the Development Consent Authority (DCA) - Representation

Moved: Councillor Morrison  
Seconded: Councillor Fraser

1. THAT Report entitled Palmerston Division of the Development Consent Authority (DCA) - Representation be received and noted.
2. THAT Council nominate Mayor Pascoe-Bell, Councillor Henderson, Councillor Giesecke and Councillor Fraser to the Minister for Infrastructure, Planning and Logistics for consideration or appointment to positions of Community Members of the Palmerston Division of the Development Consent Authority.

CARRIED 10/33– 5/10/2021

Initials: 

## 13.1.3 Community Venue Hire Update – Free Initiative

Moved: Councillor Eveleigh  
Seconded: Councillor Garden

1. THAT Report entitled Community Venue Hire Update - Free Initiative be received and noted.
2. THAT a report on the outcomes from the external review regarding hire charges for Council facilities be presented to Council by the 2nd Ordinary meeting in November 2021.

CARRIED 10/34 – 5/10/2021

## 13.1.4 Tenth Council Review of Delegations

Moved: Deputy Mayor Henderson  
Seconded: Councillor Morrison

1. THAT Report entitled Tenth Council Review of Delegations be received and noted.
2. THAT effective 6 October 2021 Council revoke all delegations to the Chief Executive Officer.
3. THAT effective 6 October 2021 pursuant to Section 40 of the *Local Government Act 2019* Council hereby delegates to the Chief Executive Officer its powers and functions set out in the schedule below, subject to all actions being undertaken in compliance with all relevant legislative, procedural and policy provisions:

Section	Delegation
Section 183	Appointment of authorised persons
The powers and functions of the Council under the <i>Local Government Act 2019</i>	All of the powers and functions of the Council that are able to be delegated.

4. THAT effective 6 October 2021 pursuant to section 183 of the *Local Government Act 2019*, Council appoints Chief Executive Officer, Luccio Franco Cercarelli as an authorised person subject to all actions being undertaken in compliance with all relevant legislative, procedural and policy provisions and unless earlier revoked, the appointment will cease and be deemed revoked upon the cessation of employment with City of Palmerston.
5. THAT effective 6 October 2021 pursuant to section 40 of the *Local Government Act 2019*, Council hereby delegates to the Chief Executive Officer the following financial delegations subject to all actions being undertaken in compliance with all relevant legislative, procedural and policy provisions and budget approval:

Type	Amount
Credit Card	\$5,000
Purchase Order Approval	\$5,000,000

Initials: 



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Payment Approval	Unlimited
Cheque signatory	Unlimited
Investment signatory	Unlimited

6. THAT effective 6 October 2021 pursuant to section 40 of the *Local Government Act 2019*, Council hereby delegates to the Chief Executive Officer the power and authority to exercise all powers of the Council under the *Palmerston (Animal Management) By-Laws 1999* excluding By-law 5(2) subject to all actions being undertaken in compliance with all relevant legislative, procedural and policy provisions.
7. THAT effective 6 October 2021 pursuant to Section 40 of the *Local Government Act 2019* and in light of Australian Government and Northern Territory Government requirements for the COVID-19 response, Council hereby delegates to the Chief Executive Officer its powers and functions as set out sections 66 of the *Local Government Act 2019*, by-law 71 of the *Palmerston (Public Places) By-Laws 2001* being the power to determine opening times of Council's offices and facilities and the opening times of the Library until such time as the Australian Government or Northern Territory Government have declared the emergency has ended.
8. THAT effective 6 October 2021 pursuant to Section 40 of the *Local Government Act 2019* and in light of Australian Government and Northern Territory Government requirements for the COVID-19 response, Council hereby delegates to the Chief Executive Officer the power to cancel or amend programs, service levels, budgeted council events and third party events held on council property under license, permit, or any other agreement until such time as the Australian Government or Northern Territory Government have declared the emergency has ended.

CARRIED 10/21 – 5/10/2021

### 13.1.5 Risk Management Audit Committee Unconfirmed Minutes – 10 August 2021

Moved: Councillor Garden  
Seconded: Deputy Mayor Henderson

1. THAT Report entitled Risk Management Audit Committee Unconfirmed Minutes - 10 August 2021 be received and noted.
2. THAT the unconfirmed Risk Management Audit Committee minutes provided as Attachment 13.2.4.1 to Report entitled Risk Management and Audit Committee Meeting Minutes – 10 August 2021 be received and noted.
3. THAT Council endorse the recommendations from the Risk Management and Audit Committee meeting held on 10 August 2021:
  - a. THAT the Risk Management and Audit Committee hold a planning workshop to consider how it will fulfill its responsibilities under the committee terms of reference on 23 November 2021 at 5:00pm.
  - b. THAT the Risk Management and Audit Committee recommend that Council endorse Attachment B to report number RMA/050 entitled Order of Business Review as its Order of Business to commence at its next Risk Management and Audit Committee

Initials: 

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Meeting with the addition that section 9 officers reports will reflect the key elements of the terms of reference reporting requirements.

- c. THAT Public Lighting, Land and Improvements, and Fleet Asset Management Plans presented in report entitled Asset Management Plan Update are endorsed for finalisation and implementation.

CARRIED 10/36- 5/10/2021

### 13.2 Receive and Note Reports

#### 13.2.1 Organisational Services Quarterly Report July – September 2021

Moved: Councillor Eveleigh  
Seconded: Councillor Hale

THAT Report entitled Organisational Services Quarterly Report July - September 2021 be received and noted.

CARRIED 10/37 – 5/10/2021

#### 13.2.2 City Growth and Operations Quarterly Report – April to June

Moved: Councillor Garden  
Seconded: Councillor Morrison

THAT report entitled City Growth and Operations Quarterly Report - April to June be received and noted.

CARRIED 10/38 – 5/10/2021

## 14 INFORMATION AND CORRESPONDENCE

### 14.1 Information

Nil

### 14.2 Correspondence

#### 14.2.2 Approval of Application to Borrow up to \$5 Million for SWELL

Moved: Councillor Garden  
Seconded: Deputy Mayor Henderson

THAT correspondence dated 29 September 2021 14.2.1 entitled Approval of Application to Borrow up to \$5 Million for SWELL be received and noted.

CARRIED 10/39 – 5/10/2021

Initials: 



## COUNCIL MINUTES

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### 4.2.3 Patronage of Palmerston Magpies Football Club Inc.

Moved: Mayor Pascoe-Bell  
Seconded: Councillor Hale

1. THAT correspondence received on 24 September 2021 14.2.3 entitled Patronage of Palmerston Magpies Football Club Inc. be received and noted.
2. THAT Council note the Mayor's acceptance as Patron of the Palmerston Magpies over the term of four years.

CARRIED 10/40 – 5/10/2021

### 15 REPORT OF DELEGATES

Nil

### 16 QUESTIONS BY MEMBERS

#### 16.1 Payments and Community Room

Moved: Deputy Mayor Henderson  
Seconded: Councillor Eveleigh

1. THAT the question asked by Deputy Mayor Henderson regarding Rates Notice difficulties with payment, and the response provided by the Chief Executive Officer be received and noted.
2. THAT the question asked by Deputy Mayor Henderson regarding Dog Registration Reminder, and the response provided by the Deputy Chief Executive Officer be received and noted.
3. THAT the question asked by Deputy Mayor Henderson regarding Second Community Room at Palmerston Pool Upgrade Timing, and response provided by the Deputy Chief Executive Officer be received and noted.

CARRIED 10/41 – 5/10/2021

#### 16.2 Forrest Parade School Speed Advisory Signs

Moved: Councillor Morrison  
Seconded: Deputy Mayor Henderson

THAT the question asked by Councillor Morrison regarding Forrest Parade School Speed Advisory Signs, and the questions be taken on notice by the Director of City Growth and Operations.

CARRIED 10/42 – 5/10/2021

### 17 GENERAL BUSINESS

Nil

Initials: 



## COUNCIL MINUTES

### 18 NEXT ORDINARY COUNCIL MEETING

Moved: Councillor Eveleigh  
Seconded: Councillor Garden

THAT the next Ordinary Meeting of Council be held on Tuesday, 19 October 2021 at 5:30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

CARRIED 10/43- 5/10/2021

### 19 CLOSURE OF MEETING TO PUBLIC

Moved: Councillor Hale  
Seconded: Councillor Giesecke

THAT pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(a) of the Local Government (General) Regulations 2021 the meeting be closed to the public to consider the Confidential items of the Agenda.

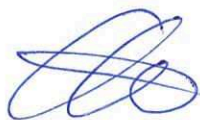
CARRIED 10/44- 5/10/2021

### 20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Nil

The open section of the meeting closed at 6.34pm for the discussion of confidential matters.

The Chair declared the meeting closed at 6.45pm



Chair

Mayor Pascoe-Bell

Print Name

26/10/2021

Date

Initials: