

MINUTES

1st Ordinary Council Meeting **Tuesday 1 February 2022**

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

COUNCIL MINUTES

Minutes of Council Meeting
held in Council Chambers
Civic Plaza, 1 Chung Wah Terrace, Palmerston
on Tuesday 1 February 2022 at 5:30pm.

PRESENT

ELECTED MEMBERS

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

STAFF

Chief Executive Officer, Luccio Cercarelli
Deputy Chief Executive Officer/General Manager
Community and Culture, Amelia Vellar
Francheska Gobel, Executive Officer - Strategic Projects
Emma Blight, People and Customer Manager
Gayu Sivaraj, Finance Manager
Jarred Crawley, City Assets Manager
Becky Saywell, Communications Manager
Damien Scalora, Urban/Environment Planner
Angie Heriot, Education and Policy Lead
Minute Secretary, Chloe Hayes

GALLERY

Nil

Initials: 

COUNCIL MINUTES

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 5.32pm.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Moved: Councillor Morrison
Seconded: Deputy Mayor Henderson

THAT the apology received from Councillor Hale for 1 February 2022 be received and noted.

CARRIED 10/175 – 1/02/2022

3.2 Leave of Absence Previously Granted

Nil

3.3 Leave of Absence Request

Nil

4 REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING

Nil

5 DECLARATION OF INTEREST

5.1 Elected Members

Moved: Councillor Morrison
Seconded: Councillor Fraser

THAT the Declaration of Interest received from Mayor Pascoe-Bell for Item 25.1.1 and 25.1.2 be received and noted.

CARRIED 10/176 – 1/02/2022

Initials: 

COUNCIL MINUTES

5.2 Staff

Moved: Councillor Garden
Seconded: Deputy Mayor Henderson

THAT the Declaration of Interest received from the Chief Executive Officer for Item 22.1 be received and noted.

CARRIED 10/177 – 1/02/2022

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Deputy Mayor Henderson
Seconded: Councillor Eveleigh

THAT the Minutes of the Council Meeting held on 18 January 2022 pages 10627 to 10634 be confirmed.

CARRIED 10/178 – 1/02/2022

6.2 Business Arising from Previous Meeting

Nil

7 MAYORAL REPORT

Moved: Mayor Pascoe-Bell
Seconded: Councillor Garden

THAT Report entitled Mayoral Update Report - January 2022 be received and noted.

CARRIED 10/179 – 1/02/2022

8 DEPUTATIONS AND PRESENTATIONS

Nil

9 PUBLIC QUESTION TIME (WRITTEN SUBMISSIONS)

Nil

10 CONFIDENTIAL ITEMS

Initials: 

10.1 Moving Confidential Items into Open

23.1 Minister Eva Lawler

Moved: Councillor Morrison
Seconded: Councillor Garden

1. THAT the confidential visitation from the Hon. Eva Lawler be received and noted.

CARRIED 10/191 – 1/02/2022

Moved: Councillor Morrison
Seconded: Councillor Fraser

2. THAT this decision be moved to the open minutes of 1 February 2022 Ordinary Council Meeting.

CARRIED 10/192 – 1/02/2022

Mayor Pascoe-Bell declared a conflict of Interest for item 25.1.1, 25.1.2 and left the meeting at 7.39pm.

Deputy Mayor Henderson took place of the chair.

25.1.1 Politis Court Laneway Closure Update

Moved: Councillor Garden
Seconded: Councillor Fraser

1. THAT Report entitled Politis Court Laneway Closure Update be received and noted.
2. THAT Council, no later than 11 February 2022, advise the property owners adjacent the Politis Court to Strawbridge Crescent laneway that;
 - a. In order for the sale to proceed, at least one landowner from the Politis Court adjacent properties, and one landowner from the Strawbridge Circuit properties must agree to purchase the land;
 - b. The sale price will not be negotiated and is offered at the calculated value based on the independent land valuation undertaken in October 2021, and as per the Laneway Management Policy;
 - c. Council will not be undertaking any works within the laneway as part of the sale of land;
 - d. The offer to sell the laneway expires 18 March 2022; and
 - e. Should the sale of the laneway not proceed, the laneway will revert to being a temporary laneway closure and any future closure requests will need to occur through the Laneway Management Policy with a new application.
3. THAT this decision be moved to the Open Minutes of the 1 February 2022 Ordinary Council Meeting.

CARRIED 10/193 – 1/02/2022

Initials: 

25.1.2 Alleged Breaches of the Code of Conduct – Summary of Decision

Moved: Councillor Garden
Seconded: Councillor Fraser

1. THAT Report entitled Alleged Breaches of the Code of Conduct – Summary of Decision be received and noted.
2. THAT the Council summary of decision be as follows:

<i>Complainant</i>	Angela Bruhn
<i>Respondent</i>	Mayor Athina Pascoe-Bell
<i>Date of complaint</i>	13 September 2021
<i>Alleged Contravention</i>	The complainant alleged that comments made by the respondent on the complainant's Facebook post contravened clauses 1, 3, 4 and 8.1 of the Code of Conduct
<i>Members of Council deciding complaint</i>	Deputy Mayor Sarah Henderson, Councillor Danielle Eveleigh, Councillor Mark Fraser, Councillor Amber Garden, Councillor Ben Giesecke and Councillor Lucy Morrison
<i>Decision</i>	In accordance with the section 123(1)(a) of the <i>Local Government Act 2019</i> (NT), the Council has determined that no action is to be taken
<i>Decision Number</i>	10/120
<i>Date of decision</i>	16 November 2021

3. THAT the Council decisions relating to report entitled Alleged Breaches of the Code of Conduct Update – Summary of Decision be moved to the Open Minutes of the 1 February 2022 Ordinary Council Meeting.

CARRIED 10/194 – 1/02/2022

Mayor Pascoe-Bell returned to the meeting at 8:20pm

Mayor Pascoe-Bell resumed place of the chair.

10.2 Moving Open Items into Confidential

Nil

Initials: 

COUNCIL MINUTES

10.3 Confidential Items

Moved: Councillor Eveleigh

Seconded: Councillor Fraser

THAT pursuant to Section 99(2) and 293(1) of the *Local Government Act 2019* and section 51(1) of the *Local Government (General) Regulations 2021* the meeting be closed to the public to consider the following confidential items:

Item	Confidential Category	Confidential Clause
23.1	External Presentation request	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the <i>Local Government Act 2019</i> and section 51(1)(e) of the <i>Local Government (General) Regulations 2021</i> , which states a 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 and would, if publicly disclosed, be likely to be contrary to the public interest.
25.1.1	Personal Information	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the <i>Local Government Act 2019</i> and section 51(1)(b) of the <i>Local Government (General) Regulations 2021</i> , which states a 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 personal circumstances of a resident or ratepayer.
25.1.2	Complaint of a Contravention of the Code of Conduct	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the <i>Local Government Act 2019</i> and section 51(1)(f) of the <i>Local Government (General) Regulations 2021</i> , which states a 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 in relation to a complaint of a contravention of the code of conduct.

CARRIED 10/180 - 1/02/2022

11 PETITIONS

Nil

12 NOTICES OF MOTION

Nil

13 OFFICER REPORTS

13.1 Action Reports

Initials: 

13.1.1 Council Policy - Sufficient Interest in the Assessment Record

Moved: Mayor Pascoe-Bell
Seconded: Councillor Garden

THAT the matter lay on the table for staff to further investigate privacy, access to records and clarity regarding a number of issues.

CARRIED 10/181 – 1/02/2022

13.1.2 Sustainability Strategy

Moved: Deputy Mayor Henderson
Seconded: Councillor Garden

1. THAT Report entitled Sustainability Strategy be received and noted.
2. THAT Council adopt the City of Palmerston Sustainability Strategy presented as **Attachment 13.1.2.1** to Report entitled Sustainability Strategy.

CARRIED 10/182 – 1/02/2022

13.1.3 Play Space Strategy Consultation Outcomes

Moved: Deputy Mayor Henderson
Seconded: Councillor Fraser

1. THAT Report entitled Play Space Strategy Consultation Outcomes be received and noted.
2. THAT Council adopt the Palmerston Play Space Strategy as presented as **Attachment 13.1.3.1** to Report entitled Play Space Strategy Consultation Outcomes.

CARRIED 10/183 – 1/02/2022

13.1.4 Zuccoli Community Hub - Off Leash Dog Exercise Area

Moved: Councillor Fraser
Seconded: Councillor Eveleigh

1. THAT Report entitled Zuccoli Community Hub - Off Leash Dog Exercise Area be received and noted.

Initials: 

COUNCIL MINUTES

2. THAT Council endorse the Zuccoli Dog Park staging plan and concept design, as presented as **Attachment 13.1.4.1** and detailed in Report entitled Zuccoli Community Hub - Off Leash Dog Exercise Area to commence delivery this financial year.
3. THAT Council endorse the proposed funding and staged approach to deliver preliminary site works and Stage 1 of the Off Leash Dog Exercise Area of the Zuccoli Community Hub as detailed in the Report entitled Zuccoli Community Hub - Off Leash Dog Exercise Area
4. THAT Council approve the immediate movement of \$620,965 from the Working Capital Reserve for preliminary site works and Stage 1 of the Off Leash Dog Exercise Area of the Zuccoli Community Hub.

CARRIED 10/184 - 1/02/2022

13.2 Receive and Note Reports

13.2.1 Finance and Governance October to December 2021 Quarterly Report

Moved: Councillor Eveleigh
Seconded: Councillor Garden

THAT Report entitled Finance and Governance October to December 2021 Quarterly Report be received and noted.

CARRIED 10/185 - 1/02/2022

13.2.2 Adopt a Lake

Moved: Deputy Mayor Henderson
Seconded: Councillor Garden

THAT Report entitled Adopt a Lake be received and noted.

CARRIED 10/186 - 1/02/2022

14 INFORMATION AND CORRESPONDENCE

14.1 Information

Nil

14.2 Correspondence

Nil

15 REPORT OF DELEGATES

Nil

16 QUESTIONS BY MEMBERS

Initials: 

Nil

17 GENERAL BUSINESS

17.1 COVID-19 Emergency Planning

Moved: Councillor Morrison

Seconded: Councillor Garden

THAT Council request the Chief Executive Officer consider contingency planning for Elected Members and Council Meetings relating to COVID-19.

CARRIED 10/187 – 1/02/2022

18 NEXT ORDINARY COUNCIL MEETING

Moved: Councillor Fraser

Seconded: Deputy Mayor Henderson

THAT the next Ordinary Meeting of Council be held on Tuesday, 15 February 2022 at 5:30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

CARRIED 10/188 – 1/02/2022

19 CLOSURE OF MEETING TO PUBLIC

Chief Executive Officer left the meeting at 6:05pm.

Chief Executive Officer returned to the meeting at 6:08pm.

Moved: Councillor Garden

Seconded: Councillor Fraser

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 10/189 – 1/02/2022

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Nil

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

Initials:



COUNCIL MINUTES

The Chair declared the meeting closed at 8:40pm.



Chair

Mayor Pascoe-Bell

Print Name

15/2/2022

Date

Initials: _____