

MINUTES

1st Ordinary Council Meeting Tuesday 7 February 2023

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

Minutes of Council Meeting
held in Council Chambers
Civic Plaza, 1 Chung Wah Terrace, Palmerston
on Tuesday 7 February 2023 at 5:30pm.

PRESENT

ELECTED MEMBERS

Acting Mayor Lucy Morrison (Chair)
Councillor Amber Garden
Councillor Danielle Eveleigh
Councillor Mark Fraser
Councillor Sarah Henderson
Councillor Ben Giesecke
Councillor Damian Hale

STAFF

Chief Executive Officer, Luccio Cercarelli
Deputy Chief Executive Officer, Amelia Vellar
General Manager Community and Culture, Anna Ingram
Director of Finance and Governance, Wati Kerta
Minute Secretary, Kate Roberts
Executive Support Officer, Jodi Holden

GALLERY

12 members of staff

1 ACKNOWLEDGEMENT OF COUNTRY

City of Palmerston acknowledges the Larrakia people as the Traditional Custodians of the Palmerston region. We pay our respects to the Elders past, present and future leaders and extend that respect to all Aboriginal and Torres Strait Islander people.

2 OPENING OF MEETING

The Chair declared the meeting open at 5.31pm.

Chinese New Year Blessing performed by the Lion Dance Troupe from the Chung Wah Society.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Nil

3.2 Leave of Absence Previously Granted

THAT it be noted Mayor Athina Pascoe-Bell will be on leave of absence as previously granted on 6 December 2022, for the period of 28 January to 14 February 2023 inclusive.

3.3 Leave of Absence Request

Moved: Councillor Hale
Seconded: Councillor Eveleigh

1. THAT the leave of absence received from Deputy Mayor Morrison for 4 to 28 March 2023 inclusive be received and noted.

2. THAT the leave of absence received from Councillor Hale for 16 to 25 February 2023 inclusive be received and noted.

CARRIED 10/682 – 7/02/2023

4 REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING

Moved: Councillor Fraser
Seconded: Councillor Henderson

THAT Council approve Councillor Hale to attend via Audio/Audiovisual on 21 February 2023 Council Meeting who will be physically prevented from attending a meeting due to being further than 100kms from the place of meeting.

CARRIED 10/683 – 7/02/2023

5 DECLARATION OF INTEREST

5.1 Elected Members

Nil

Initials: 

5.2 Staff

Nil

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Councillor Henderson

Seconded: Councillor Garden

THAT the Minutes of the Council Meeting held on 17 January 2023 pages 10920 to 10931 be confirmed.

CARRIED 10/684 - 7/02/2023

6.2 Business Arising from Previous Meeting

Nil

7 MAYORAL REPORT

Moved: Councillor Eveleigh

Seconded: Councillor Fraser

THAT Report entitled Mayoral Update Report - January 2023 be received and noted.

CARRIED 10/685 - 7/02/2023

8 DEPUTATIONS AND PRESENTATIONS

Nil

9 PUBLIC QUESTION TIME (WRITTEN SUBMISSIONS)

Nil

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

10.1.1 Confidentiality Review List - 21 July to 17 January 2023

Moved: Councillor Eveleigh

Seconded: Councillor Garden

1. THAT Report entitled Confidentiality Review List - 21 July 2022 to 17 January 2023 be received and noted.

2. THAT the following 12 Council Decisions be moved to the 7 February 2023 Open Minutes:

Initials: 

No.	Decision Number	Meeting Date	Item/Type	Title
1.	10/171	18/01/2021	25.1.2	Rates Debt Recovery Update – Sale of Land
2.	10/285	05/04/2022	25.1.3	Rates Debt Recovery – Sale of Land – March Update
3.	10/358	17/05/2022	25.1.1	Rates Debt Recovery – Sale of Land – March Update
4.	10/520	06/09/2022	25.1.1	Council Advisory Committee Membership
5.	10/608	1/11/2022	25.1.1	Risk Management and Audit Committee Confidential Minutes – 25 October 2022
6.	10/628	15/11/2022	25.1	Procedural Motion
7.	10/631	15/11/2022	25.1.4	Lot 9542 – 56 Georgina Crescent Yarrowonga
8.	10/633	15/11/2022	25.1.5	Local Government Association of the Northern Territory (LGANT) Membership Renewal
9.	10/634	15/11/2022	25.2	Correspondence – Local Government Representation Committee Response to City of Palmerston Submission
10.	10/654	6/12/2022	25.2.1	2023/24 Budget Timetable
11.	10/655	6/12/2022	25.2.2	Rates Debt Recovery 2021/22
12.	10/656	6/12/2022	26.2.1	Correspondence – Regional Economic Growth Committee Working Group

CARRIED 10/697 – 7/02/2023

Rates Debt Recovery Update – Sale of Land

1. THAT Report entitled Rates Debt Recovery Update – Sale for Land be received and noted.
2. THAT Council approves and amends the date for the Rates Debt Recovery Report to be presented from First ordinary Council Meeting of 14 December 2021 to the Second Ordinary Confidential Council meeting of 15 February 2022, for measures outlines, including awaiting legal advice.

CARRIED 10/171 – 18/01/2022

Rates Debt Recovery - Sale of Land - March Update

1. THAT Report entitled Rates Debt Recovery - Sale of Land - March Update be received and noted.

Initials: 

2. THAT Council notes and approves an extension required to continue the discussion with legal counsel and a report be brought back to Council at the First Ordinary Meeting in May 2022, detailing the approach to the Rates Debt Recovery - Sale of Land process.

CARRIED 10/285 - 5/04/2022

Rates Debt Recovery - Sale of Land - March Update

1. THAT Report entitled Rates Debt Recovery - Sale of Land - March Update be received and noted.
2. THAT Council notes that the City of Palmerston has commenced legal action through the Northern Territory Civil and Administration Tribunal for the recovery of outstanding rates debts owed.

CARRIED 10/358 - 17/05/2022

Council Advisory Committee Membership

1. THAT Report entitled Council Advisory Committee Membership be received and noted.
2. THAT Council make the following member appointments to the Palmerston Community Wellbeing Advisory Committee for a period of two year from date of appointment:
 - Veronica Matipira be appointed as the Youth Community Member representative.
 - Michelle Walker, Regional Executive Director, appointed as the Chief Minister and Cabinet representative.
 - Gabrielle Brown, Executive Director, Families Programs be appointed as a key government representative.
 - Senior Sergeant Siri Tennosaar, Northern Territory Police Office in Charge Palmerston Police Station be appointed as a key government representative.
3. THAT Council make the following member appointments to the Palmerston Safety Advisory Committee for a period of two years from date of appointment:
 - Ashleigh Ascoli be appointed as the Community Member representative.
 - Nelson Tinoco, Larrakia Nation Outreach Manager, be appointed as the Chief Minister and Cabinet representative.
 - Tania Jacobsen, Director of Housing be appointed as Northern Territory Families representative.
 - Superintendent Peter Malley, Northern Territory Police Palmerston, and Road Policing, be appointed as Northern Territory Police representative.
 - Sue Shearer, PRBA, be appointed as a relevant business association representative.
4. THAT Council make the following members appointments to the Palmerston Vibrant Economy Advisory Committee for a period of two years from date of appointment:
 - Sue Shearer, PRBA, be appointed as a Business or Property Association representative.

- Mohan Kandasa and Carmine Rauseo be appointed as local business owner representatives.
 - Sarah Gotch, Territory Director, be appointed as the Northern Territory Government Chief Minister and Cabinet representative.
5. THAT the first Advisory Committees meeting be held by end of November 2022, followed by Council Network Meetings.
 6. THAT following written acceptance to endorsed nominees, Council writes to all other nominees thanking them for their nomination and advising that the nomination was unsuccessful.
 7. THAT this decision be made public following advice to all nominees of the outcomes.

CARRIED 10/520 – 6/09/2022

Risk Management and Audit Committee Confidential Minutes – 25 October 2022

1. THAT Report entitled Risk Management and Audit Committee Confidential Minutes - 25 October 2022 be received and noted.
2. THAT the unconfirmed Risk Management and Audit Committee minutes provided as Attachment 25.1.1.1 to report entitled Risk Management and Audit Committee Confidential Minutes - 25 October 2022 be received and noted.
3. THAT Council endorse the recommendations from the Confidential Risk Management and Audit Committee meeting held on 25 October 2022:
 - a. THAT the draft financial statements for the year ended 30 June 2022 as presented as **Attachment 16.2.1.1** and the accompanying financial overview presented as **Attachment 16.2.1.2** to Report entitled Draft Annual Financial Statements including the Chief Executive Officer certification to be accepted for inclusion in the 2021/22 Annual Report subject to the CEO and External Auditors (KPMG) being satisfied with the cashflow statement.

CARRIED 10/608 – 1/11/2022

Procedural Motion

THAT pursuant to the Palmerston (Procedures for Meetings) by-law 7 Council alter the order of business moving Item 25.1.1 entitled Confidential Restricted to be considered following Item 25.1.4 entitled Lot 9542 - 56 Georgina Crescent, Yarrawonga.

CARRIED 10/628 – 15/11/2022

Lot 9542 – 56 Georgina Crescent Yarrawonga

1. THAT Report entitled Lot 9542 - 56 Georgina Crescent, Yarrawonga be received and noted.
2. THAT Council thank Mr McGrath (Lessee) of Lot 5942 56 Georgina Crescent, Yarrawonga for their offer to purchase but advise that Council is not interested in selling the land or purchasing the Lease.

Initials: 

3. THAT this decision be moved to the open following notification to Mr McGrath.

CARRIED 10/631 - 15/11/2022

Local Government Association of the Northern Territory (LGANT) Membership Renewal

1. THAT Report entitled Local Government Association of the Northern Territory (LGANT) - Membership Renewal be received and noted.
2. THAT Council does not re-join the Local Government Association of the Northern Territory (LGANT) in 2022/2023 and that this be reviewed annually.

CARRIED 10/633- 15/11/2022

Correspondence – Local Government Representation Committee Response to City of Palmerston Submission

1. THAT the tabled correspondence entitled Local Government Representation Committee Response to City of Palmerston Submissions be received and noted.
2. THAT correspondence dated 11 November 2022 regarding Local Government Representation Committee response to City of Palmerston submission be received and noted.
3. THAT the Mayor write to the Local Government Representation Committee chair;
 - a. expressing the City of Palmerston's disappointment in the authenticity of the process including engagement and consultation, and
 - b. inviting the Local Government Representation Committee to further present to Council regarding actual ward boundaries, noting that Council is unable to arrange this meeting prior to the 25 November 2022 given the short notice provided by the committee.

CARRIED 10/634 - 15/11/2022

2023/24 Budget Timetable

THAT Report entitled 2023/24 Budget Timetable be received and noted.

CARRIED 10/654 - 6/12/2022

Rates Debt Recovery 2021/22

THAT Report entitled Rates Debt Recovery 2021/22 be received and noted.

CARRIED 10/655 - 6/12/2022

Correspondence – Regional Economic Growth Committee Working Group

1. THAT the correspondence dated 30 November 2022 received from Department of the Chief Minister and Cabinet regarding Regional Economic Growth Committee Working Group be received and noted.
2. THAT a report be prepared for Council for the Ordinary Meeting in January 2023 on the request for financial contribution and Council commitment contained within the Palmerston and Litchfield Regional Economic Growth Committee Working Group correspondence dated 30 November 2022.

CARRIED 10/656 – 6/12/2022

10.1.2 Library Café Lease

1. THAT Report entitled Library Cafe Lease be received and noted.
2. THAT Council offer Territory Projects trading as the Nook Café a commercial lease over part of Lot 9608, the Boulevard for a two-year period (expiring 31 July 2024) with the same general terms and conditions as the existing lease.
3. THAT pursuant to section 40(2)(a) of the *Local Government Act 2019* Council hereby delegated to the Chief Executive Officer the power to finalise and enter into the lease renewal with Territory Projects for two-year period under the general terms and conditions of the existing lease including rental at the current value adjusted for CPI as outlined in report entitled Library Cafe Lease.
4. THAT the Council Decisions relating to the Report entitled Library Cafe Lease be moved to the Open Minutes on execution of a new lease.

CARRIED 10/284 – 5/04/2022

10.1.3 Risk Management and Audit Committee Minutes - 26 July 2022

1. THAT Report entitled Risk Management and Audit Committee Minutes - 26 July 2022 be received and noted.
2. THAT the unconfirmed Risk Management and Audit Committee minutes provided as Attachment 25.1.2.1 to report entitled Risk Management and Audit Committee Meeting Minutes – 26 July 2022 be received and noted.
3. THAT Council endorse the confidential recommendation from the Risk Management & Audit Committee meeting held on 26 July 2022:
 - a. THAT the decisions relating to report entitled External Audit Recommendations Register be moved to the open minutes of 26 July 2022 Risk Management and Audit Committee Meeting.

CARRIED 10/496 – 16/08/2022

10.1.4 Palmerston Australia Day Awards 2023

1. THAT Report entitled Palmerston Australia Day Awards 2023 be received and noted.
2. THAT a Report regarding a review of the Palmerston Australia Day Awards future direction including how to encourage more nominations to recognise our valued community be prepared by the 2nd Ordinary Meeting in April 2023.
3. THAT the Council Decisions relating to Report Entitled Palmerston Australia Day Awards 2023 be moved to open on 26 January 2023.

CARRIED 10/680 – 17/01/2023

10.1.5 Northern Territory Remuneration Tribunal

Moved: Councillor Giesecke
Seconded: Councillor Garden

1. THAT the correspondence dated 24 January 2023 received from the Northern Territory Remuneration Tribunal be received and noted.
2. THAT this decision be moved to the open section of Council Meeting on 7 February 2023.

CARRIED 10/698 – 7/02/2023

10.2 Moving Open Items into Confidential

Nil

10.3 Confidential Items

Moved: Councillor Garden
Seconded: Councillor Hale

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
25.1.1	Legal Advice	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.

Initials: 

25.1.2	Review of Confidential Matters	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)(c)(iii) 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 that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff. 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.
26.2.1	Matters Relating to Council Staff and/or Elected Members	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)(c)(iv) 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 that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.

CARRIED 10/686 – 7/02/2023

11 PETITIONS

Nil

12 NOTICES OF MOTION

Nil

13 OFFICER REPORTS

13.1 Action Reports

13.1.1 Lighting Up Palmerston Policy Update

Moved: Councillor Hale
Seconded: Councillor Fraser

1. THAT Report entitled Lighting Up Palmerston Policy Update be received and noted.
2. THAT Council adopt amended Council Policy *Lighting Up Palmerston Policy being Attachment 13.1.1.3* to report entitled Lighting Up Palmerston Policy Update.

CARRIED 10/687 – 7/02/2023

Initials: 

13.2 Receive and Note Reports

13.2.1 Office of the Deputy Chief Executive Officer Quarterly Report October to December 2022

Moved: Councillor Eveleigh
Seconded: Councillor Garden

THAT Report entitled Office of the Deputy Chief Executive Officer Quarterly Report October to December 2022 be received and noted.

CARRIED 10/688 – 7/02/2023

13.2.2 Finance and Governance Quarterly Report - October to December 2022

Moved: Councillor Garden
Seconded: Councillor Giesecke

THAT Report entitled Finance and Governance Quarterly Report - October to December 2022 be received and noted.

CARRIED 10/689 – 7/02/2023

13.2.3 Review of Expansion of Opening Hours

Moved: Councillor Eveleigh
Seconded: Councillor Fraser

THAT Report entitled Review of Expansion of Opening Hours be received and noted.

CARRIED 10/690 – 7/02/2023

14 INFORMATION AND CORRESPONDENCE

14.1 Information

Nil

14.2 Correspondence

Nil

15 REPORT OF DELEGATES

Nil

16 QUESTIONS BY MEMBERS

Moved: Councillor Eveleigh
Seconded: Councillor Fraser

1. THAT the question asked by Councillor Henderson regarding Older Truxor Operation, and the response provided by the Chief Executive Officer be received and noted.

2. THAT the question asked by Acting Mayor Morrison regarding Opening Date of the Zuccoli Dog Park, and the response provided by the Chief Executive Officer be received and noted.

CARRIED 10/691 – 7/02/2023

17 GENERAL BUSINESS

Nil

18 NEXT ORDINARY COUNCIL MEETING

Moved: Councillor Hale
Seconded: Councillor Henderson

THAT the next Ordinary Meeting of Council be held on Tuesday, 21 February 2023 at 5:30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

CARRIED 10/692 – 7/02/2023

19 CLOSURE OF MEETING TO PUBLIC

Moved: Councillor Henderson
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 10/693 – 7/02/2023

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Nil

The open section of the meeting closed at 6.02pm for the discussion of confidential matters.

The closed section of the meeting reopened at 6.06pm.

The Chair declared the meeting closed at 6.38pm.



Chair

Mayor Pascoe-Bell

Print Name

21 February 2023

Date

Initials: