

# **MINUTES**

# 2nd Ordinary Council Meeting Tuesday 21 November 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 21 November 2023 at 5:30pm.

# **PRESENT**

ELECTED MEMBERS Mayor Athina Pascoe-Bell (Chair)

Deputy Mayor Danielle Eveleigh (Via Audio/Audiovisual)

Councillor Amber Garden Councillor Ben Giesecke Councillor Damian Hale Councillor Lucy Morrison Councillor Mark Fraser

Councillor Sarah Henderson (Via Audio/Audiovisual)

STAFF Chief Executive Officer, Luccio Cercarelli

Deputy Chief Executive Officer, Amelia Vellar General Manager Infrastructure, Nadine Nilon

General Manager Finance and Governance, Wati Kerta

General Manager Community, Kylie Darley

Minute Secretary, Jodi Holden

GALLERY One member of the public

Three members of staff

Initials:



## 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 5.30pm.

## 3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Nil

# 3.2 Leave of Absence Previously Granted

THAT it be noted Deputy Mayor Eveleigh will be on leave of absence as previously granted on 7 November 2022, for the period of 20 November to 24 November 2023 inclusive.

## 3.3 Leave of Absence Request

Moved:

**Councillor Morrison** 

Seconded:

**Deputy Mayor Eveleigh** 

- 1. THAT the leave of absence received from Councillor Fraser for 4 November to 14 November 2023 inclusive be received and noted.
- 2. THAT the leave of absence received from Councillor Fraser for 22 November to 26 November 2023 inclusive be received and noted.
- 3. THAT the leave of absence received from Councillor Morrison for 6 December to 11 December 2023 inclusive be received and noted.

CARRIED 10/1096 - 21/11/2023

# 4 REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING

THAT Council notes that Deputy Mayor Eveleigh is attending via Audio/Audiovisual Conferencing due to being a greater distance than 100km from the appointed place of meeting.

Moved:

**Councillor Morrison** 

Seconded:

**Councillor Fraser** 

THAT Council notes that Councillor Henderson who is attending via Audio/Audiovisual Conferencing who will be physically prevented from attending due to ill health and approval has been granted by the Chief Executive Officer in accordance with the City of Palmerston Audio/Audiovisual Policy.

CARRIED 10/1097 - 21/11/2023





# 5 DECLARATION OF INTEREST

## 5.1 Elected Members

Moved:

**Councillor Garden** 

Seconded:

**Councillor Fraser** 

THAT the Declaration of Interest received from Deputy Mayor Eveleigh for Item 25.1.3 be received and noted.

CARRIED 10/1098 - 21/11/2023

## 5.2 Staff

Moved:

**Councillor Fraser** 

Seconded:

**Councillor Morrison** 

THAT the Declaration of Interest received from Luccio Cercarelli, Chief Executive Officer for Item 25.1.1 - Confidential Restricted be received and noted.

CARRIED 10/1099 - 21/11/2023

# 6 CONFIRMATION OF MINUTES

# 6.1 Confirmation of Minutes

Moved:

**Deputy Mayor Eveleigh** 

Seconded:

Councillor Garden

- 1. THAT the Minutes of the Council Meeting held on 7 November 2023 pages 11175 to 11181 be confirmed.
- 2. THAT the Minutes of the Special Council Meeting held on 13 November 2023 pages 11187 to 11190 be confirmed.

CARRIED 10/1100 - 21/11/2023

# 6.2 Business Arising from Previous Meeting

Nil

# 7 MAYORAL REPORT

Nil



## 8 DEPUTATIONS AND PRESENTATIONS

Nil

# 9 PUBLIC QUESTION TIME (WRITTEN SUBMISSIONS)

Moved:

Councillor Giesecke

Seconded:

**Councillor Fraser** 

THAT the public question from Stephen Enciso, Woodroffe and response as tabled be received and noted.

## **Ouestion:**

How does Council intend to protect its constituents from the "natural and other hazards" that are predicted to stem from the proposed development at Middle Arm?

# Response:

Thank you for your question.

The approval or otherwise of the proposed development at Middle Arm is subject to the Federal and/or Territory Government requirements and processes.

The City of Palmerston will inform ourselves, and consider what future actions City of Palmerston requires to undertake based on any findings and recommendations of the Federal Senate Inquiry and

any subsequent Federal and/or Territory Government/agencies processes and/or applications made. At this stage there is no published findings or recommendations of the Federal Senate Inquiry.

CARRIED 10/1101 - 21/11/2023

## 10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

10.1.1 City of Palmerston - Enforceable Undertaking - Northern Territory WorkSafe

Moved:

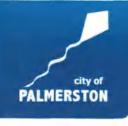
**Councillor Garden** 

Seconded:

**Councillor Fraser** 

- 1. THAT Report entitled City of Palmerston Enforceable Undertaking Northern Territory WorkSafe be received and noted.
- 2. THAT Council be presented with further update reports on the implementation of obligations under the City of Palmerston Enforceable Undertaking Northern Territory WorkSafe, following each Enforceable Undertaking reporting period.
- 3. THAT the decisions relating to Report entitled City of Palmerston Enforceable Undertaking Northern Territory WorkSafe be moved to open once the Enforceable Undertaking has been published on the NT WorkSafe website.

CARRIED 10/1120 - 21/11/2023



10.2 Moving Open Items into Confidential

Nil

10.3 Confidential Items

Moved:

**Councillor Morrison** 

Seconded:

**Councillor Garden** 

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 and confidential restricted 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 Local Government Act 2019 and section 51(1)(c)(ii) of the Local Government (General) Regulations 2021, 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 maintenance or administration of the law.
23.2	External Presentation Request	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(ii) of the Local Government (General) Regulations 2021, 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 maintenance or administration of the law.
25.1.1	Confidential Restricted	This item is considered 'Confidential' 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, 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 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.
25.1.2	Council Property Agreements and Contracts	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(e) of the Local Government (General) Regulations 2021, 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.
25.1.3	Rate Concession Assessment	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(b) of the Local Government (General) Regulations 2021, 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.
		This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(d) of the Local Government (General) Regulations 2021, 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 subject to an obligation of confidentiality at law, or in equity.
25.1.4	Council Project Initiative	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, 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.
		This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(e) of the Local Government (General) Regulations 2021, 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.
25.1.5	Legal Advice	This item is considered 'Confidential' 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, 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 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.
	·	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(ii) of the Local Government (General) Regulations 2021, 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 maintenance or administration of the law.



		This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(d) of the Local Government (General) Regulations 2021, 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 subject to an obligation of confidentiality at law, or in equity.
25.1.6	Council Project Initiative	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(e) of the Local Government (General) Regulations 2021, 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.
25.2.1	Council Project Initiative	This item is considered 'Confidential' pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1)(c)(iv) of the Local Government (General) Regulations 2021, 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 10/1102 - 21/11/2023

11 PETITIONS

Nil

12 NOTICES OF MOTION

Nil

13 OFFICER REPORTS

13.1 Action Reports

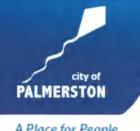
13.1.1 First Budget Review 2023-24

Moved: Seconded:

Councillor Garden Councillor Henderson

- 1. THAT Report entitled First Budget Review 2023-24 be received and noted.
- 2. THAT Council adopts the First Budget Review 2023/24, pursuant to Division 4 (9) of the Local Government (General) Regulations 2021 as presented in **Attachment 13.1.1.1** to report First Budget Review 2023-24.





3. THAT Council adopts the revised Long Term Financial Plan as presented in Attachment 13.1.1.3 to report First Budget Review 2023-24, pursuant to Division 4 (9) of the Local Government (General) Regulations 2021.

CARRIED 10/1103 - 21/11/2023

# 13.1.2 Community Benefit Scheme - Grant Application Landcare NT

Moved:

Councillor Henderson

Seconded:

Councillor Hale

- THAT Report entitled Community Benefit Scheme Grant Application Landcare NT be received and noted.
- 2. THAT Council endorse the grant application from Landcare NT for \$6,000 as per Attachment 13.1.2.1 to Report entitled Community Benefit Scheme - Grant Application Landcare NT to be funded from the Community Benefit Scheme (Environment Initiative).

CARRIED 10/1104 - 21/11/2023

## 13.1.3 Laneway Closure Request - Broadarrow Circuit Woodroffe

Moved:

Councillor Garden

Seconded:

**Councillor Morrison** 

- 1. THAT Report entitled Laneway Closure Request Broadarrow Circuit Woodroffe be received and noted.
- 2. THAT following assessment of the Broadarrow Circuit laneway closure request received 9 January 2023, that the laneway remains open.

CARRIED 10/1105 - 21/11/2023

## 13.2 Receive and Note Reports

## 13.2.1 Major Capital Projects November 2023 Update

Moved:

**Councillor Fraser** 

Seconded:

**Deputy Mayor Eveleigh** 

THAT Report entitled Major Capital Projects November 2023 Update be received and noted.

CARRIED 10/1106 - 21/11/2023

13.2.2 Community Benefit Scheme - October Update

Moved:

**Councillor Morrison** 

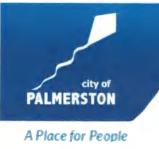
Seconded:

Councillor Garden

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

CARRIED 10/1107 - 21/11/2023

MINUTES ORDINARY COUNCIL MEETING - 21 NOVEMBER 2023



13.2.3 Finance Report for the Month of October 2023

Moved:

**Councillor Morrison** 

Seconded:

Councillor Hale

THAT report entitled Finance Report for the Month of October 2023 be received and noted.

CARRIED 10/1108 - 21/11/2023

13.2.4 Christmas in Palmerston 2023

Moved:

**Councillor Hale** 

Seconded:

**Councillor Morrison** 

THAT Report entitled Christmas in Palmerston 2023 be received and noted.

CARRIED 10/1109 - 21/11/2023

# 14 INFORMATION AND CORRESPONDENCE

14.1 Information

Nil

14.2 Correspondence

Nil

15 REPORT OF DELEGATES

Nil

16 QUESTIONS BY MEMBERS

Nil

17 GENERAL BUSINESS

Nil .

18 NEXT ORDINARY COUNCIL MEETING

Moved:

**Councillor Fraser** 

Seconded:

**Councillor Hale** 

THAT the next Ordinary Meeting of Council be held on Tuesday, 12 December 2023 at 5:30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

CARRIED 10/1110 - 21/11/2023



# 19 CLOSURE OF MEETING TO PUBLIC

Moved:

**Councillor Fraser** 

Seconded:

**Deputy Mayor Eveleigh** 

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 10/1111 - 21/11/2023

# 20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Nil

The open section of the meeting closed at 5.49pm for the discussion of confidential matters.

The Chair declared the meeting closed at 8.24pm.

Chair

Print Name

Date