



CITY OF PALMERSTON

**Minutes of Council Meeting
held in Council Chambers
Civic Plaza, Palmerston
on Tuesday 6 February 2018 at 6.30pm.**

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.

Audio Disclaimer

An audio recording of this meeting is being made for minute taking purposes as authorised by City of Palmerston Policy MEE3 Recording of Meetings. The minutes of this Council Meeting will be made available on the Council Website.

Acknowledgement of Traditional Ownership

I respectfully acknowledge the past and present Traditional Custodians of this land on which we are meeting, the Larrakia people. It is a privilege to be standing on Larrakia country.

1 PRESENT

Elected Members:	Mark Blackburn, Official Manager
Staff:	Luccio Cercarelli, Chief Executive Officer Malcolm Jones, Acting Director of City Growth and Operations Jan Peters, Director of Community Services Chris Kelly, Director of Corporate Services Samantha Abdic, Communications Officer Alyce Breed, Minute Secretary
Gallery:	Lauren Roberts, NT News 3 members of the public

2 APOLOGIES

Nil.

3 CONFIRMATION OF MINUTES

1. THAT the minutes of the Council Meeting held Tuesday, 30 January 2018 pages 9481 to 9488, be confirmed.
2. THAT the Confidential minutes of the Council Meeting held Tuesday, 30 January 2018 pages 361 to 362, be confirmed.

CARRIED 8/3012 – 06/02/2018

Initials: _____



4 OFFICIAL MANAGER'S REPORT

Nil.

5 REPORT OF DELEGATES

Nil.

6 QUESTIONS (WITHOUT DEBATE) FOR WHICH NOTICE HAS BEEN GIVEN

Nil.

7 QUESTIONS (WITHOUT DEBATE) FOR WHICH NOTICE HAS NOT BEEN GIVEN

Nil.

8 PETITIONS

Nil.

9 DEPUTATIONS/PRESENTATIONS

Nil.

10 CONSIDERATION OF MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

Nil.

11 COMMITTEE RECOMMENDATIONS

11.1 Governance and Organisation

Nil.

11.2 Economic Development and Infrastructure

Nil.

11.3 Community Culture and Environment

Nil.

11.4 Risk Management and Audit

Nil.

Initials: _____



12 INFORMATION AGENDA

12.1 Items for Exclusion

Nil.

12.2 Receipt of Information Reports

Nil.

12.3 Officer Reports

Nil.

13 DEBATE AGENDA

13.1 Officer Reports

13.1.1 Palmerston Development Consent Authority 8/1405

1. THAT Report Number 8/1405 entitled Representation on the Palmerston Division of the Development Consent Authority be received and noted.
2. THAT Council write to the Minister for Infrastructure, Planning and Logistics requesting that the appointment of Mr Paul Bunker, Mr Andrew Byrne and Ms Seranna Shutt to the Palmerston Division of the Development Consent Authority be terminated.
3. THAT Council write to the Minister for Infrastructure, Planning and Logistics nominating the Official Manager, Mr Mark Douglas Blackburn as the City of Palmerston's nomination as a member on the Palmerston Division of the Development Consent Authority.
4. THAT Council write to Mr Paul Bunker, Mr Andrew Byrne and Ms Seranna Shutt advising them of Council's decision, regarding the request to terminate their membership on the Palmerston Division of the Development Consent Authority and acknowledging their contribution.

CARRIED 8/3013 - 06/02/2018

Initials: _____



13.1.2 Delegations 8/1402

- 1. THAT Report Number 8/1402 entitled Delegations be received and noted.
2. THAT Council revoke all previous delegations to the Chief Executive Officer.
3. THAT pursuant to Section 32 of the Local Government Act, Council hereby delegates to the Chief Executive Officer its powers and functions as set out in the schedule below:

Table with 2 columns: Section, Description. Row 1: Section 112, Appointment of Authorised Persons. Row 2: Section 244, Authorisation of the persons to institute proceedings in the name of Council. Row 3: Various, All of the powers and functions of the Council with the exception of the following: i. those matters referred to in Section 21(2) of the Local Government Act, ii. Sections 22 and 24, regarding adoption of the Municipal Plan, iii. Section 46, appointment to fill a Casual Vacancy on the Council, iv. Section 49, establishment of Local Boards, v. Section 54, establishment of Council Committees, vi. Section 68, calling meetings for elections.

- 4. THAT pursuant to Section 112 of the Local Government Act, Council appoints the Chief Executive Officer as an authorised person.
5. THAT pursuant to Section 32 of the Local Government Act, Council hereby delegates to the Chief Executive Officer the power and authority to exercise all powers of the Council under the City of Palmerston (Animal Management) By-Laws excluding Part 1 Division 1 Section 5 (2).
6. THAT a report be prepared reviewing the committee structure and delegations for the second Ordinary Council Meeting in April 2018.

CARRIED 8/3014 - 06/02/2018

14 CORRESPONDENCE

Nil.

15 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

Initials: _____

16 PUBLIC QUESTION TIME

The Official Manager provided an opportunity for members of the gallery to ask questions.

Q: Ian Abbott of Farrar asked “In regards to the Development Consent Authority and your tenure, will that be a temporary tenure or a permanent tenure and obviously how that will be reported back to the new council?”

The Official Manager stated the Minister of Infrastructure, Planning and Logistics will determine if the Official Manager will be appointed and the term of any such appointment. It is common that Elected Members are appointed to the Development Consent Authority for a period of two years to coincide with the election timetable. The incoming Council will be formally informed of any appointment made by the Minister and its tenure.

Q: Ian Abbott of Farrar asked “In the last Council information agenda regarding Tarakan Court and the appalling decision of the Minister to approve the permit for the commercial development, will the Official Manager write to the Minister posing a strong objection to that decision as has been stated publicly already?”

The Official Manager stated that a letter has previously been sent to the Minister for Infrastructure, Planning and Logistics strongly objecting to the development proposal. Council's objection is a matter on the public record. The Council objection was also reported in the NT News. Council will not be providing further objection as it's position has been clearly stated previously and the Minister has determined the matter.

17 OTHER BUSINESS

Nil.

Initials: _____

18 CONFIDENTIAL REPORTS

18.1 Report Number 8/1387

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Acting Director of City Growth and Operations, Director of Community Services, Director of Corporate Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report in relation to confidential agenda item 18.1 Report Number 8/1387 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

- (b) information about the personal circumstances of a resident or ratepayer;

This item is considered confidential pursuant to Regulation 8 (b) of the Local Government (Administration) Regulations.

2. THAT Council orders that the minutes from the Confidential Council Meeting held on 6 February 2018, in relation to item number 18.1 Report Number 8/1387 the report and associated documents remain confidential and not available for public inspection.

18.2 Report Number 8/1404

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Acting Director of City Growth and Operations, Director of Community Services, Director of Corporate Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report in relation to confidential agenda item 18.2 Report Number 8/1404 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

- (c) information that would, if publicly disclosed, be likely to:
 - (i) cause commercial prejudice to, or confer an unfair commercial advantage on, any person; or

This item is considered confidential pursuant to Regulation 8 (c)(i) of the Local Government (Administration) Regulations.

2. THAT Council orders that the minutes from the Confidential Council Meeting held on 6 February 2018, in relation to item number 18.2 Report Number 8/1404 and associated documents remain confidential and not available for public inspection.

Initials: _____



18.3 Report Number 8/1401

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report in relation to confidential agenda item 18.3 Report Number 8/1401 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

- (c) information that would, if publicly disclosed, be likely to:
 - (iv) prejudice the interests of the council or some other person;

(d) information subject to an obligation of confidentiality at law, or in equity;

This item is considered confidential pursuant to Regulations 8(c)(iv) and (d) of the Local Government (Administration) Regulations.

2. THAT Council orders that the minutes from the Confidential Council Meeting held on 6 February 2018, in relation to item number 18.3 Report Number 8/1401 and associated documents remain confidential and not available for public inspection.

18.4 Report Number 8/1403

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report in relation to confidential agenda item 18.4 Report Number 8/1403 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

- (c) information that would, if publicly disclosed, be likely to:
 - (iv) prejudice the interests of the council or some other person;

(d) information subject to an obligation of confidentiality at law, or in equity;

This item is considered confidential pursuant to Regulations 8(c)(iv) and (d) of the Local Government (Administration) Regulations.

2. THAT Council orders that the minutes from the Confidential Council Meeting held on 6 February 2018, in relation to item number 18.4 Report Number 8/1403 and associated documents remain confidential and not available for public inspection.

CARRIED 8/3015 - 06/02/2018

The meeting moved into the Confidential Session at 6:54pm.

Initials: _____



19 CLOSURE

Meeting closed at 7.08pm

Mark Blackburn
Official Manager
Date:
