

CITY OF PALMERSTON

**Minutes of Council Meeting
held in Council Chambers
Civic Plaza, Palmerston
on Tuesday 3 October 2017 at 6.30pm.**

Mark Blackburn
Official Manager

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:	Mark Spangler, Chief Executive Officer Jan Peters, Director of Community Services Malcolm Jones, Acting Director of Technical Services Alyce Breed, Minute Secretary
Gallery:	Russell Anderson, Investigator Lauren Roberts, NT News 3 members of public

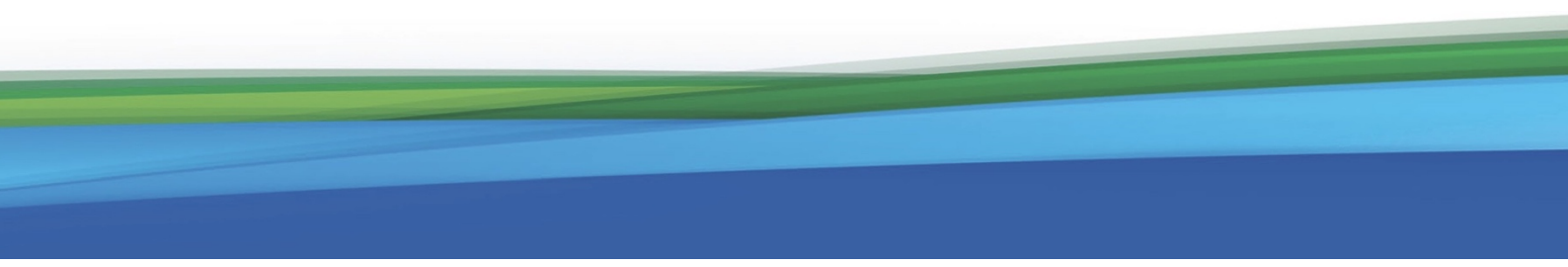
2 APOLOGIES

Nil.

3 CONFIRMATION OF MINUTES

1. THAT the minutes of the Council Meeting held Tuesday, 19 September 2017 pages 9411 to 9416, be confirmed.
2. THAT the Confidential minutes of the Council Meeting held Tuesday, 19 September 2017 page 338, be confirmed.

CARRIED 8/2893 - 03/10/2017



4 OFFICIAL MANAGER 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

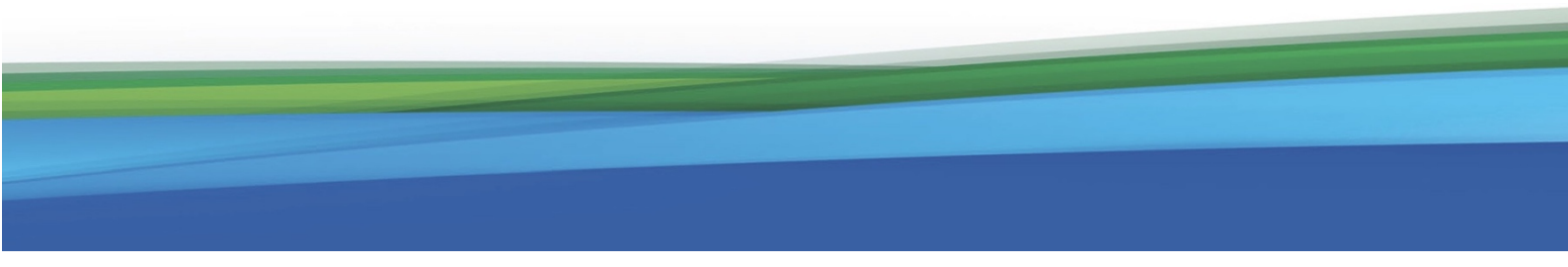
Nil.

11.2 Economic Development and Infrastructure

Nil.

11.3 Community Culture and Environment

Nil.



12 INFORMATION AGENDA

12.1 Items for Exclusion

Nil.

12.2 Receipt of Information Reports

THAT the information items contained within the Information Agenda, be received.

CARRIED 8/2894 – 03/10/2017

13 DEBATE AGENDA

13.1 Officer Reports

13.1.1 Liquor Licence Application – The Coffee Club Gateway Shopping Centre, Shop T29, Yarrowonga Road, Palmerston 8/1311

1. THAT Council receives Report Number 8/1311.
2. THAT Council endorses Attachment A to Report Number 8/1311.

CARRIED 8/2895 – 03/10/2017

13.1.2 Liquor Licence Application – Liquorland, Oasis Shopping Centre, Lot 1219 (15) Temple Terrace, Palmerston City 8/1312

1. THAT Council receives Report Number 8/1312.

CARRIED 8/2896 – 03/10/2017

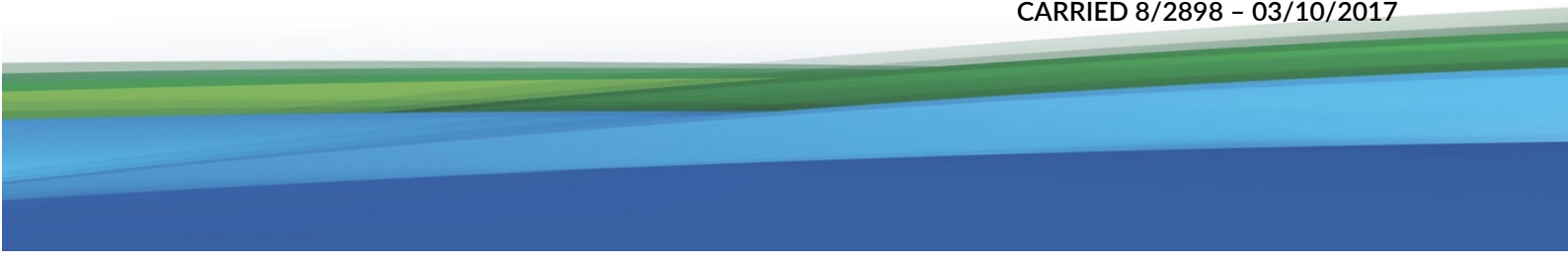
2. THAT the Director-General of Licensing be advised that at this time Council does not endorse the correspondence in Attachment A to Report Number 8/1312.
3. THAT the matter lay on the table until Council receives advice from the Director-General of Licensing as to whether this is a new take away liquor licence given the NT Government has advised that it has a moratorium in place in relation to the issuing of any “new” take-away licences (noting there are exceptions in particular circumstances).

CARRIED 8/2897 – 03/10/2017

13.1.3 Zuccoli Aspire Sub-Stage 3 and Precinct C Revised Street Names Proposal 8/1313

1. THAT Council receives Report Number 8/1313.
2. THAT Council endorse the Developer’s revised naming proposals of the subject roads as listed within Zuccoli Aspire development.

CARRIED 8/2898 – 03/10/2017



13.1.4 Zuccoli Stage 1 – Phase 3.3, 3.4 and 3.5 Street Name Proposals 8/1314

1. THAT Council receives Report Number 8/1314.
2. THAT Council endorse the Developer's revised naming proposals of the subject roads as listed within Zuccoli Stage 1, Phase 3.3, 3.4 and 3.5 development.

CARRIED 8/2899 – 03/10/2017

13.1.5 Guidelines for the Development of Stormwater Treatment Lakes 8/1315

1. THAT Council receives Report Number 8/1315.
2. THAT Council notes the technical recommendations to be included in the development guidelines such that any design of lakes within developments have a defined scope to achieve. Council also notes that the Developers are liable to provide a detailed design of the stormwater system for Council review and approval prior to construction.

CARRIED 8/2900 – 03/10/2017

13.1.6 The Boulevard Stage 2 Bus Stops 8/1316

1. THAT Council receives Report Number 8/1316.
2. THAT Council delegate the Chief Executive Officer to liaise with the Passenger Transport representatives of the Department of Infrastructure, Planning and Logistics to confirm the construction and implementation of the bus stops given the Council's preference for in-lane bus stops.

CARRIED 8/2901 – 03/10/2017

13.1.7 Palmerston Cricket Club Rate Concession 8/1318

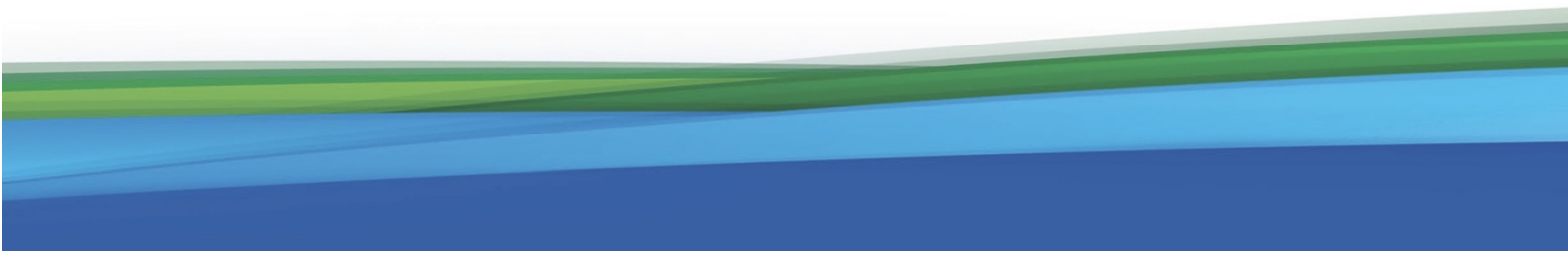
1. THAT Council receives Report Number 8/1318.
2. THAT Council approves a rate concession for 50% of the annual rate.

CARRIED 8/2902 – 03/10/2017

13.1.8 Palmerston Pistol Club Rate Concession 8/1319

1. THAT Council receives Report Number 8/1319.
2. THAT Council approves a rate concession for 50% of the annual rate.

CARRIED 8/2903 – 03/10/2017



**13.1.9 TS2017/11 – Landscape Maintenance Area 1 – Durack and Marlow Lagoon
8/1320**

1. THAT Council receives Report Number 8/1320.
2. THAT Council award contract TS2017/11 – Landscape Maintenance Area 1 – Durack and Marlow Lagoon to Sterling NT Pty Ltd for the amount of \$241,289.74 (GST exclusive).
3. THAT the Official Manager and Chief Executive Officer are granted consent to sign and seal all required contract documentation for the contract TS2017/11 – Landscape Maintenance Area 1- Durack and Marlow Lagoon.

CARRIED 8/2904 – 03/10/2017

**13.1.10 TS2017/12 – Landscape Maintenance Area 2 – Bakewell, Farrar, Gunn and Yarrowonga
8/1321**

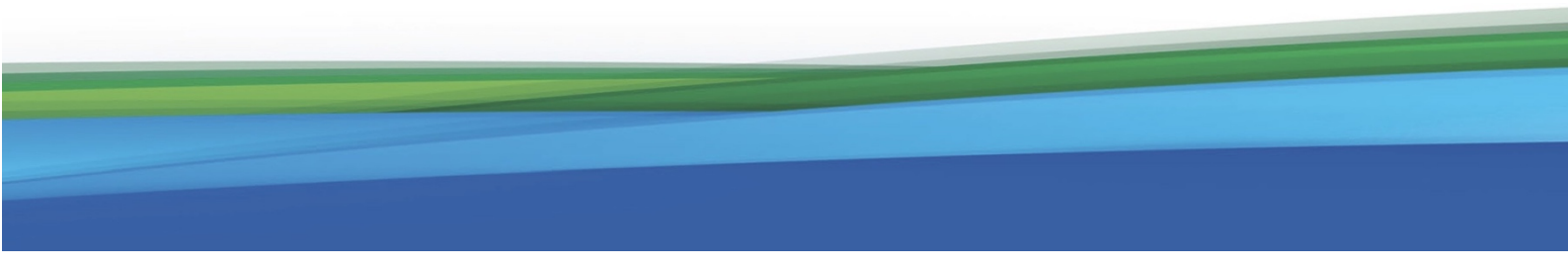
1. THAT Council receives Report Number 8/1321.
2. THAT Council award contract TS2017/12 – Landscape Maintenance Area 2 – Bakewell, Farrar, Gunn and Yarrowonga to Sterling NT Pty Ltd for the amount of \$250,308.08 (GST exclusive).
3. THAT the Official Manager and Chief Executive Officer are granted consent to sign and seal all required contract documentation for the contract TS2017/12 – Landscape Maintenance Area 2 – Bakewell, Farrar, Gunn and Yarrowonga.

CARRIED 8/2905 – 03/10/2017

**13.1.11 TS2017/13 – Landscape Maintenance Area 3 – Driver, Gray, Moulden and Woodroffe
8/1322**

1. THAT Council receives Report Number 8/1322.
2. THAT Council award contract TS2017/13 – Landscape Maintenance Area 3 – Driver, Gray, Moulden and Woodroffe to Sterling NT Pty Ltd for the amount of \$189,051.96 (GST exclusive).
3. THAT the Official Manager and Chief Executive Officer are granted consent to sign and seal all required contract documentation for the contract TS2017/13 – Landscape Maintenance Area 3 – Driver, Gray, Moulden and Woodroffe.

CARRIED 8/2906 – 03/10/2017



13.1.12 TS2017/14 – Landscape Maintenance Area 4 – Rosebery, Bellamack, Johnston and Zuccoli 8/1323

1. THAT Council receives Report Number 8/1323.
2. THAT Council award contract TS2017/14 – Landscape Maintenance Area 4 – Rosebery, Bellamack, Johnston and Zuccoli to Sterling NT Pty Ltd for the amount of \$191,457.62 (GST exclusive).
3. THAT the Official Manager and Chief Executive Officer are granted consent to sign and seal all required contract documentation for the contract TS2017/14 – Landscape Maintenance Area 4 – Rosebery, Bellamack, Johnston and Zuccoli.

CARRIED 8/2907 – 03/10/2017

13.1.13 TS2017/07 – Electrical Maintenance Contract 8/1324

1. THAT Council receives Report Number 8/1324.
2. THAT Council award contract TS2017/07 – Electrical Maintenance Contract – Separable Portions A, B & C to Nightcliff Electrical Pty Ltd for the amount of \$1,034,260.86 (GST exclusive).
3. THAT the Official Manager and Chief Executive Officer are granted consent to sign and seal all required contract documentation for the contract TS2017/07 – Electrical Maintenance Contract.

CARRIED 8/2908 – 03/10/2017

14 CORRESPONDENCE

Nil.

15 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

16 PUBLIC QUESTION TIME

Q: Samantha Baker of Woodroffe asked “Why did former CEO Mr Ricki Bruhn resign without notice?”

A: The Chairman responded by informing Ms Baker that the Chief Executive Officer submitted his resignation which was accepted by the Official Manager

Q: Samantha Baker of Woodroffe asked "Has Palmerston City Council ever prosecuted a person for owning a dog that attacks a person or animal and if so, how many times and how many people?"

A: The Chairman responded by informing Ms Baker that Council hasn't prosecuted a person for owning a dog that has attacked a person or animal in the last eight years.

Q: Samantha Baker of Woodroffe asked "Do you have a number of times you have prosecuted people?"

A: The Chairman responded by informing Ms Baker that the question was taken on notice.

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

Q: Ian Abbott of Farrar asked "Previously there was a report in regards to shading of Goyder Square, there were consultancy reports being produced for shading Goyder Square, it doesn't appear in the Action Report so just wondering when that report will be brought to Council?"

A: The Chairman responded by informing Mr Abbott that the question was taken on notice.

Q: Ian Abbott of Farrar asked whether a report on the current occupancy rate on paid carparking and the revenues and costs produced by the paid parking scheme can be provided.

A: The Chairman responded by informing Mr Abbott that the next quarterly report from the Technical Services Department will provide the figures he is seeking.

Q: Ian Abbott of Farrar asked the Chairman to outline the process in regards to the either temporary replacement of the CEO or the appointment of a new CEO.

A: An advertisement for an interim Chief Executive Officer will be advertised in the NT Newspaper tomorrow. Council anticipates that the position will be filled by the 1 November and this position will be in place until 30 June 2018.

Council elections are due to take place on 17 March 2018 and it was deemed that that it would be a reasonable amount of time for an interim Chief Executive Officer and recruitment process. The new Council will be undergoing a comprehensive induction program, which the Chief Executive Officer has been asked to develop. This will require a policy on induction and training for the incoming Elected Members. We think about June will be the time that the new Council would be able to complete the process of recruiting a new Chief Executive Officer.

Q: Ian Abbott of Farrar asked the Chairman whether the five tenders awarded previously in the agenda were for a three year period and whether the tender price was yearly. Mr Abbott also asked whether the prices come in under budget, over budget or on budget. Mr Abbott asked whether for the purpose of openness and transparency this could be declared in the report.

A: The Chairman responded by informing Mr Abbott that the contracts are for three years and it is an annual price. If there are variations a budget variation will be put forward at the next quarterly budget review.

Q: Samantha Baker of Woodroffe asked "So were the people that were prosecuted for persons who own a dog that attacks a person or animal prosecuted because there was no by-laws in place at the time or were the by-laws in place at the time they were prosecuted?"

A: The Chairman responded by informing Ms Baker that the question was taken on notice.

17 OTHER BUSINESS

Nil.

18 CONFIDENTIAL REPORTS

18.1 Confidential Action Report

8/1310

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 Technical Services, Director of Community Services, Investigator 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 Confidential Action Report 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:

(e) information provided to the council on condition that it be kept confidential.

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

2. THAT Council orders that the report from the Confidential Council Meeting held on 3 October 2017 in relation to item number 18.1 Confidential Action Report remain confidential and not available for public inspection.

18.2 Financial Hardship Application - 105130

8/1317

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 Technical Services, Director of Community Services, Investigator 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 Financial Hardship Application - 105130 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 report from the Confidential Council Meeting held on 3 October 2017 in relation to item number 18.2 Financial Hardship Application -105130 the report and associated documents remain confidential and not available for public

inspection for a period of 12 months from the date of this meeting or a lesser period as determined by the Chief Executive Officer.

18.3 Lease 58 Georgina Crescent, Yarrowonga

8/1325

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 Technical Services, Director of Community Services, Investigator 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 Lease 58 Georgina Crescent, Yarrowonga 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:

(e) information provided to the council on condition that it be kept confidential.

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

2. THAT Council orders that the report from the Confidential Council Meeting held on 3 October 2017 in relation to item number 18.3 Lease 58 Georgina Crescent, Yarrowonga the report and associated documents remain confidential and not available for public inspection for a period of 6 months from the date of this meeting or a lesser period as determined by the Chief Executive Officer.

CARRIED 8/2909 - 03/10/2017

The meeting moved into the Confidential Session at 7:26pm.

18.4 Moving decisions from the Confidential Session into the Open Session

In accordance with the resolutions of the Council, the following decisions from the Confidential Session are moved into the Open Session:

4.2 Financial Hardship Application - 105130

8/1317

1. THAT Council receives Report Number 8/1317.
2. THAT Council approves remission of interest for the period 1 September 2017 to 30 June 2018 for assessment 105130 under the conditions of the rates concession policy FIN17.
3. THAT the resolutions only come back to the open session.

19 CLOSURE

Meeting closed at 7.35pm

