

CITY OF PALMERSTON

**Minutes of Council Meeting
held at Palmerston Raiders Rugby League Club
Forrest Parade, Rosebery
on 17 November 2020 at 5:30pm.**

ELECTED MEMBERS	Mayor Athina Pascoe-Bell (Chair) Deputy Mayor Tom Lewis Alderman Amber Garden Alderman Benjamin Giesecke Alderman Damian Hale (via Audio/Audiovisual Conferencing) Alderman Sarah Henderson Alderman Lucy Morrison Alderman Mick Spick (via Audio/Audiovisual Conferencing)
STAFF	Chief Executive Officer, Luccio Cercarelli Deputy Chief Executive Officer/Director Lifestyle and Community, Amelia Vellar Director City Growth and Operations, Nadine Nilon Governance and Strategy Manager, Manu C Pillai Regulatory Services Manager, Jocelyn Cull Communications Manager, Christine Joyce Minute Secretary, Ashlee Gaddes
GALLERY	Independent Chair Risk Management and Audit Committee, Iain Summers Independent Member Risk Management and Audit Committee, Steve Bartlett Independent Member Risk Management and Audit Committee, Mark Blackburn Member for Blain, Mark Turner Mayor West Arnhem Regional Council, Matthew Ryan Deputy Mayor West Arnhem Regional Council, Anna Egerton Chief Executive Officer West Arnhem Regional Council, Daniel Findley Executive Manager West Arnhem Regional Council, Brooke Darmanin Chief Operating Officer West Arnhem Regional Council, Chris Kelly Three Members of the Public

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.

Initials: 

2 OPENING OF MEETING

The Chair declared the meeting open at 5:33pm.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Moved: Alderman Morrison
Seconded: Alderman Henderson

THAT the apology received from Alderman Hale for 17 November 2020 be received and noted.

CARRIED 9/1373 - 17/11/2020

3.2 Leave of Absence Previously Granted

Moved: Alderman Spick
Seconded: Alderman Henderson

THAT it be noted Alderman Spick will be on leave of absence previously granted on 20 October 2020, for the period of 14 November to 22 November 2020 inclusive.

CARRIED 9/1374 - 17/11/2020

3.3 Leave of Absence Request

Moved: Mayor Pascoe-Bell
Seconded: Alderman Garden

THAT the leave of absence received from Mayor Pascoe-Bell for 10 January to 22 January 2021 inclusive be received and noted.

CARRIED 9/1375 - 17/11/2020

4 REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING

Moved: Alderman Giesecke
Seconded: Alderman Morrison

THAT the request for Audio/Audiovisual Conferencing received from Alderman Hale for the meeting held on 17 November 2020 be received and noted.

CARRIED 9/1376 - 17/11/2020

Initials: 

5 DECLARATION OF INTEREST

5.1 Elected Members

Nil.

5.2 Staff

Nil.

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Alderman Morrison
Seconded: Alderman Henderson

THAT the minutes of the Council Meeting held on 3 November 2020 pages 10251 to 10262, be confirmed.

CARRIED 9/1377 - 17/11/2020

6.2 Business Arising from Previous Meeting

Nil.

7 MAYORAL REPORT

Nil.

Alderman Hale entered the meeting via audio/audiovisual conferencing at 5:40pm.

8 DEPUTATIONS AND PRESENTATIONS

8.1 Reflections on the Role of the Council's Risk Management and Audit Committee

Moved: Deputy Mayor Lewis
Seconded: Alderman Garden

1. THAT the presentation by Independent Chair of the Risk Management and Audit Committee, Mr Summers entitled Reflections on the Role of the Council's Risk management and Audit Committee be received and noted.

Initials: 

2. THAT Council would like to thank Mr Summers for his time as Independent Chair of the Palmerston Risk Management and Audit Committee and all the work he has done for the Palmerston Community.

CARRIED 9/1378 - 17/11/2020

Mayor Pascoe-Bell presented Mr Summers with gift of appreciation from Council.

9 PUBLIC QUESTIONS (WRITTEN SUBMISSIONS)

Nil.

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

25.2.2 Palmerston Swimming and Fitness Centre Management Services

Moved: Alderman Garden
Seconded: Alderman Henderson

1. THAT Report entitled Palmerston Swimming and Fitness Centre Management Services be received and noted.
2. THAT Council notes the intention to develop and call future tender for the management and operation of SWELL and approves the following key terms for inclusion as detailed in the report entitled Palmerston Swimming and Fitness Centre Management Services.
 - Term of contract three years.
 - Free entry access to the aquatic components of the pool for the term of the contract with all other fees and charges to be determined as per the report annually.
 - Free access to the wet adventure feature for the first twelve months to be reviewed by Council at the end of that period, with a charge to be applied for exclusive usage.
 - Extended operating times for the SWELL facility.
 - That no limitations will be placed on the use of the building space and proposals will be sought from tenderers with consideration of the SWELL's objectives including social and financial matters.
 - The operation of the café will be included in this tender as the contractor's responsibility and they can sub lease to a third party.

Initials: 

3. THAT the Council Decisions relating to this report entitled Palmerston Swimming and Fitness Centre Management Services be moved into the Open Minutes on 17 November 2020.

CARRIED 9/1399 – 17/11/2020

10.2 Moving Open Items into Confidential

Nil.

10.3 Confidential Items

Moved: Alderman Garden
Seconded: Alderman Giesecke

THAT pursuant to *Section 65(2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations* the meeting be closed to the public to consider the following confidential items:

ITEM	REGULATION	REASON
25.2.1	8(c)(ii)	This item is considered 'Confidential' pursuant to Section 65(2) of the <i>Local Government Act 2008</i> and 8(c)(ii) of the <i>Local Government (Administration) Regulations</i> , which states municipal 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.
25.2.2	8(e)	This item is considered 'Confidential' pursuant to Section 65(2) of the <i>Local Government Act 2008</i> and 8(e) of the <i>Local Government (Administration) Regulations</i> , which states municipal 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.

CARRIED 9/1379 – 17/11/2020

11 PETITIONS

Nil.

Initials: 

12 NOTICES OF MOTION

12.1 Palmerston Free Outdoor Ninja Warrior Course

Moved: Alderman Morrison
Seconded: Alderman Garden

THAT as part of the 2021/2022 budget deliberations, Council consider a new initiative for the development of a free outdoor ninja warrior course within a Palmerston Park.

CARRIED 9/1380 - 17/11/2020

13 OFFICERS REPORTS

13.1 Receive and Note Reports

13.1.1 Community Benefit Scheme Update - October 2020

Moved: Alderman Garden
Seconded: Alderman Morrison

THAT Report entitled Community Benefit Scheme Update - October 2020 be received and noted

CARRIED 9/1381 - 17/11/2020

13.1.2 Financial Report for the Month of October 2020

Moved: Alderman Henderson
Seconded: Alderman Garden

THAT Report entitled Financial Report for the Month of October 2020 be received and noted.

CARRIED 9/1382 - 17/11/2020

13.2 Action Reports

13.2.1 Code of Conduct for Chief Executive Officer

Moved: Alderman Garden
Seconded: Deputy Mayor Morrison

1. THAT Report entitled Code of Conduct for Chief Executive Officer be received and noted.

Initials: 

Minute Book Page 10272
2nd Ordinary Council Meeting

2. THAT Council adopt the Code of Conduct for Chief Executive Officer being **Attachment 13.2.1.1** of Report entitled Code of Conduct for Chief Executive Officer with the following amendments:
 - Clause 4.7.1 – Gifts and Benefits amend to read “Not actively encourage or accept gifts and benefits”
 - Clause 4.6.4 amend to read “engaging in outside employment, volunteer or board roles”
 - Clause 4.8.3 amend to read “must act with respect for cultural beliefs and practices in relation to Elected Members, staff and members of the community”

CARRIED 9/1383 – 17/11/2020

13.2.2 Open Space Maintenance Service Levels

Moved: Alderman Morrison
Seconded: Alderman Henderson

1. THAT Report entitled Open Space Maintenance Service Levels be received and noted.
2. THAT Council notes the changes to services as identified within this report entitled Open Space Maintenance Service Levels.

CARRIED 9/1384 – 17/11/2020

Alderman Hale left the meeting due to technical difficulties with audio/audiovisual conferencing at 6:13pm

13.2.3 Laneway Management Policy Consultation Outcomes

Moved: Alderman Henderson
Seconded: Alderman Morrison

1. THAT Report entitled Laneway Management Policy Consultation Outcomes be received and noted.
2. THAT Council, having reviewed and considered the submissions received, adopt the Laneway Management Policy being **Attachment 13.2.3.3** to the report entitled Review of Submissions on the Draft Laneway Management Policy.

Initials: 

3. THAT Council approve the continuation of existing temporary part time laneway closures and full time closures for a twelve month period, with a report to be prepared for Council by December 2021, as outlined in the report entitled Review of Submission on the Draft Laneway Management Policy.
4. THAT Council notes the pending laneway closure requests will now be progressed in accordance with Council Policy Laneway Management, as outlined in Report entitled Review of Submission on the Draft Laneway Management Policy, being the following laneways:
 - Schombacher Circuit to Kafcaloudes Crescent, Moulden,
 - Cycas Court to Temple Terrace, Moulden,
 - Azimuth Court to Baldwin Avenue, Woodroffe, and
 - Hannibal Crescent to Temple Terrace, Gray.
5. THAT Council approve the continuation of full-time laneway closure process, including consultation with adjacent landowners relating to the process and purchase requirement for closure, with a further report provided to Council by February 2021, in relation to the following laneways:
 - Politis Court to Strawbridge Crescent, Moulden, and
 - Politis Court to Strawbridge Park, Moulden
6. THAT Council write to all submitters thanking them for their submissions and advising of Council's decision regarding the Draft Laneway Management Policy

CARRIED 9/1385 - 17/11/2020

13.2.4 Animal Management By-Laws Update and Public Consultation Discussion Paper

Moved: Alderman Garden
Seconded: Alderman Henderson

1. THAT the Report entitled Animal Management By-Laws Update and Public Consultation Discussion Paper be received and noted.
2. THAT Council endorses a review of the *Palmerston (Animal Management) By-Laws 1999* to ensure that they are modern and reflective of the community's needs, utilising the process outlined in the Report entitled Animal Management By-Laws Update and Public Consultation Discussion Paper.

Initials: 

Minute Book Page 10274
2nd Ordinary Council Meeting

3. THAT a Council workshop be held in early February 2021 regarding the discussion paper for community consultation regarding the Palmerston Animal Management By-Laws.
4. THAT a Report be presented on the outcomes of the community consultation outlining key findings and recommendations in regard to the *Palmerston Animal Management By-Law* requirements to Council at the Secondary Ordinary Meeting in May 2021.

CARRIED 9/1386 – 17/11/2020

Alderman Spick left the meeting due to technical difficulties with audio/audiovisual conferencing at 6:20pm

13.2.5 Marlow Lagoon Dog Park Improvements

Moved: Alderman Garden
Seconded: Alderman Henderson

1. THAT Report entitled Marlow Lagoon Dog Park Improvements be received and noted.
2. THAT Council endorse the commencement of Stage One works to upgrade the Marlow Lagoon Dog Park as outlined in report entitled Marlow Lagoon Dog Park Improvements, noting this stage includes:
 - a dedicated small dog breed area with associated items
 - shade tree planting and irrigation
 - Provision of a quiet dog area
 - artificial shade and
 - double gated entry points

CARRIED 9/1387 – 17/11/2020

13.2.6 Archer Waste Management Facility Upgrade

Moved: Alderman Henderson
Seconded: Alderman Morrison

1. THAT Report entitled Archer Waste Management Facility Upgrade be received and noted.

Initials: 

Minute Book Page 10275
2nd Ordinary Council Meeting

2. THAT Council approves the transfer of up to \$1.1 million from the Waste Management Reserve in to the 2020/21 budget to fund Stage 1 of the Archer Waste Management Facility upgrade as detailed in this report entitled Archer Waste Management Facility Upgrade.

CARRIED 9/1388 - 17/11/2020

13.2.7 Disaster Recovery Funding Arrangement

Moved: Alderman Morrison
Seconded: Alderman Garden

1. THAT Report entitled Disaster Recovery Funding Arrangement be received and noted.
2. THAT Council write to the Minister for Local Government to raise Council's concerns and to request consultation and a meeting to discuss the proposed policy for Disaster Recovery Funding Arrangements, as outlined within this report entitled Disaster Recovery Funding Arrangement.

CARRIED 9/1389 - 17/11/2020

14 INFORMATION AND CORRESPONDENCE

14.1 Information

Nil.

14.2 Correspondence

Nil.

15 REPORT OF DELEGATES

Nil.

Initials: 

16 QUESTIONS BY MEMBERS

16.1 Landscaping at Rosebery Shopping Centre

Moved: Alderman Henderson
Seconded: Alderman Morrison

THAT the question asked by Alderman Henderson regarding recent landscaping works around the Rosebery shopping centre and the question was taken on notice by Director City Growth and Operations.

CARRIED 9/1390 – 17/11/2020

17 GENERAL BUSINESS

17.1 Liquor Further Amendment Act 2020

Moved: Mayor Pascoe-Bell
Seconded: Deputy Mayor Lewis

1. THAT the Mayor meet with the Chief Minister and the Minister for Alcohol Policy in relation to the *Liquor Further Amendment Act 2020* which amends the *Liquor Act 2019* to discuss the new legislation and City of Palmerston's concerns.
2. THAT a Report be prepared outlining the new legislation and its potential impacts in relation to alcohol management in Palmerston, with the Report to be presented to the first Ordinary Council meeting in December 2020. The Report is to include any changes in relation to:
 - Objections
 - Appeals
 - Status of existing liquor applications.

CARRIED 9/1391 – 17/11/2020

17.2 West Arnhem Council Visit

Moved: Mayor Pascoe-Bell
Seconded: Alderman Henderson

THAT Council thank West Arnhem Regional Council for their visit to the City of Palmerston.

CARRIED 9/1392 – 17/11/2020

Initials: 

18 NEXT COUNCIL MEETING

Moved: Alderman Garden
Seconded: Alderman Morrison

THAT the next Ordinary Meeting of Council be held on 8 December 2020 at 5:30pm in the Council Chambers, First Floor, Civic Plaza, 1 Chung Wah Terrace Palmerston.

CARRIED 9/1393 - 17/11/2020

19 CLOSURE OF MEETING TO PUBLIC

Moved: Alderman Garden
Seconded: Alderman Morrison

THAT pursuant to Section 65(2) of the *Local Government Act 2008* and Regulation 9 of the *Local Government (Administration) Regulations* the meeting be closed to the public to consider the Confidential Items of the Agenda.

CARRIED 9/1394 - 17/11/2020

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Moved: Deputy Mayor Lewis
Seconded: Alderman Henderson

THAT the meeting be adjourned for 10 minutes.

CARRIED 9/1395 - 17/11/2020

The meeting adjourned at 6:36 pm.

The open section of the meeting closed at 6:36pm for the discussion of confidential matters.

The Chair declared the meeting closed at 7:02pm.



Chair

Athina Pascoe-Bell

Print Name

8 December 2020

Date

Initials: