

MINUTES

1st Ordinary Council Meeting **Tuesday 6 September 2022**

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

A Place for People

Minutes of Council Meeting
held in Council Chambers
Civic Plaza, 1 Chung Wah Terrace, Palmerston
on Tuesday 6 September 2022 at 5:30pm.

PRESENT

ELECTED MEMBERS

Mayor Athina Pascoe-Bell (Chair)
Deputy Mayor Amber Garden
Councillor Danielle Eveleigh
Councillor Mark Fraser
Councillor Ben Giesecke
Councillor Damian Hale
Councillor Lucy Morrison

STAFF

Chief Executive Officer, Luccio Cercarelli
General Manager Community and Culture, Anna Ingram
Acting General Manager Infrastructure, Peter Lander
Minute Secretary, Chloe Hayes

GALLERY

One member of the public
Three members of staff
NT News reporter

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.

2 OPENING OF MEETING

The Chair declared the meeting open at 5.32pm.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Moved: Councillor Fraser
Seconded: Deputy Mayor Garden

THAT the apology received from Councillor Henderson for 6 September 2022 be received and noted.

CARRIED 10/499 – 6/09/2022

3.2 Leave of Absence Previously Granted

Nil

3.3 Leave of Absence Request

Moved: Councillor Fraser
Seconded: Councillor Morrison

1. THAT the leave of absence received from Councillor Henderson for 6 September to 17 September 2022 inclusive be received and noted.
2. THAT the leave of absence received from Deputy Mayor Garden for 16 November to 23 November 2022 inclusive be received and noted.
3. THAT the leave of absence received from Councillor Hale for 7 September to 19 September 2022 inclusive be received and noted.

CARRIED 10/500 – 6/09/2022

4 REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING

Nil

5 DECLARATION OF INTEREST

5.1 Elected Members

Moved: Councillor Fraser
Seconded: Councillor Morrison

THAT the Declaration of Interest received from Councillor Giesecke for Item 25.1.1 be received and noted.

CARRIED 10/501 – 6/09/2022

Initials:



COUNCIL MINUTES

5.2 Staff

Nil

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Councillor Eveleigh
Seconded: Deputy Mayor Garden

THAT the Minutes of the Council Meeting held on 16 August 2022 pages 10818 to 10824 be confirmed.

CARRIED 10/502 – 6/09/2022

6.2 Business Arising from Previous Meeting

Nil

7 MAYORAL REPORT

Moved: Mayor Pascoe-Bell
Seconded: Councillor Fraser

THAT Report entitled Mayoral Update Report - August 2022 be received and noted.

CARRIED 10/503 – 6/09/2022

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 Northern Territory Remuneration Tribunal Deputation

Moved: Councillor Fraser
Seconded: Councillor Eveleigh

1. THAT the confidential presentation by Mr Michael Martin OAM, for The Hon. Syd Stirling and Mr Gary Higgins on the Northern Territory Remuneration Tribunal be received and noted.
2. THAT this decision be moved into the open minutes of 6 September 2022 Ordinary Council Meeting.

CARRIED 10/519 – 6/09/2022

Initials:



10.2 Moving Open Items into Confidential

Nil

10.3 Confidential Items

Moved: Deputy Mayor 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
23.1	External Presentation Request	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.
25.1.1	Council Committee Recommendations	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)(b) 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 about the personal circumstances of a resident or ratepayer.
25.1.2	Legal Advice	<p>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)(a) 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 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.</p> <p>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)(d) 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 subject to an obligation of confidentiality at law, or in equity.</p> <p>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)(ii) of the <i>Local Government (General)</i></p>

Initials:

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		<i>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.</i>
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CARRIED 10/504 – 6/09/2022

11 PETITIONS

Nil

12 NOTICES OF MOTION

Nil

13 OFFICER REPORTS

13.1 Action Reports

13.1.1 Review of Delegations

Moved: Councillor Eveleigh

Seconded: Councillor Hale

1. THAT Report entitled Review of Delegations be received and noted.
2. THAT effective 7 September 2022 Council revoke the following delegations to the Chief Executive Officer:
 - a) THAT effective 6 October 2021 pursuant to section 40 of the *Local Government Act 2019*, Council hereby delegates to the Chief Executive Officer the following financial delegations subject to all actions being undertaken in compliance with all relevant legislative, procedural and policy provisions and budget approval:

Type	Amount
Credit Card	\$5,000
Purchase Order Approval	\$5,000,000
Payment Approval	Unlimited
Cheque signatory	Unlimited
Investment signatory	Unlimited

- b) THAT effective 6 October 2021 pursuant to Section 40 of the *Local Government Act 2019* and in light of Australian Government and Northern Territory Government requirements for the COVID-19 response, Council hereby delegates to the Chief Executive Officer its powers and functions as set out sections 66 of the *Local Government Act 2019*, by-law 71 of the *Palmerston (Public Places) By-Laws 2001* being the power to determine opening times of Council's offices and facilities and the opening times of the Library until such time as the Australian Government or Northern Territory Government have declared the emergency has ended.

Initials:



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- c) THAT effective 1 July 2021 pursuant to Section 40 of the *Local Government Act 2019* and in light of Australian Government and Northern Territory Government requirements for the COVID-19 response, Council hereby delegates to the Chief Executive Officer the power to cancel or amend programs, service levels, budgeted council events and third party events held on council property under license, permit, or any other agreement until such time as the Australian Government or Northern Territory Government have declared the emergency has ended.
3. THAT effective 7 September 2022 pursuant to section 40 of the *Local Government Act 2019*, Council hereby delegates to the Chief Executive Officer the following financial delegations subject to all actions being undertaken in compliance with all relevant legislative, procedural and policy provisions and budget approval:

Type	Amount
Credit Card	\$5,000
Purchase approval and contract threshold	\$5,000,000
Payment approval	Unlimited
Cheque signatory	Unlimited
Investment signatory	Unlimited

CARRIED 10/505 – 6/09/2022

13.2 Receive and Note Reports

13.2.1 Palmerston Local Economic Plan Progress Update

Moved: Councillor Fraser
Seconded: Councillor Giesecke

THAT Report entitled Palmerston Local Economic Plan Progress Update be received and noted.

CARRIED 10/506 – 6/09/2022

13.2.2 SWELL Update

Moved: Councillor Fraser
Seconded: Councillor Giesecke

THAT Report entitled SWELL Update be received and noted.

CARRIED 10/507 – 6/09/2022

Initials:



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13.2.3 Pre Cyclone Clean Up

Moved: Deputy Mayor Garden
Seconded: Councillor Fraser

THAT Report entitled Pre Cyclone Clean Up be received and noted.

CARRIED 10/508 – 6/09/2022

13.2.4 Zuccoli Community Hub Stage 1 Regional Dog Park and Headworks Update

Moved: Councillor Morrison
Seconded: Deputy Mayor Garden

THAT Report entitled Zuccoli Community Hub Stage 1 Regional Dog Park and Headworks Update be received and noted.

CARRIED 10/509 – 6/09/2022

14 INFORMATION AND CORRESPONDENCE

14.1 Information

Nil

14.2 Correspondence

14.2.1 Recreation Centre In-Kind Support for Youth Activities in Palmerston

Moved: Councillor Eveleigh
Seconded: Councillor Fraser

THAT correspondence received from Lisa Lock, Chair Person of the Palmerston and Regional Basketball Association dated 8 August 2022 entitled Recreation Centre In-Kind Support for Youth Activities in Palmerston be received and noted.

CARRIED 10/510 – 6/09/2022

14.2.2 Blackspot Program 2022-23 Funding

Moved: Councillor Morrison
Seconded: Councillor Eveleigh

THAT correspondence received from Andrew Kirkman, Chief Executive Department of Infrastructure, Planning and Logistics dated 25 August 2023 entitled Black Spot Program 2022-23 Funding be received and noted.

CARRIED 10/511 – 6/09/2022

Initials: 

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14.2.3 Notification of Acceptance in the Prescribed Corporation Panel Pool

Moved: Deputy Mayor Garden

Seconded: Councillor Eveleigh

THAT correspondence received from Jocelyn Cull, Local Government Association of the Northern Territory dated 31 August 2022 entitled Notification of Acceptance into the Prescribed Corporation Panel Pool be received and noted.

CARRIED 10/512 – 6/09/2022

15 REPORT OF DELEGATES

Nil

16 QUESTIONS BY MEMBERS

Nil

17 GENERAL BUSINESS

17.1 2022 Local Government Representation Review

Moved: Mayor Pascoe-Bell

Seconded: Deputy Mayor Garden

1. THAT a submission is prepared in responding to the 2022 Local Government Representation Review Preliminary Report by the second ordinary council meeting in October 2022.
2. THAT the Council invite the Local Government Representation Committee to present to Council on the 2022 Local Government Representation Review Preliminary Report at the second ordinary council meeting in September 2022 or an October 2022 meeting.

CARRIED 10/513 – 6/09/2022

18 NEXT ORDINARY COUNCIL MEETING

Moved: Councillor Eveleigh

Seconded: Councillor Fraser

THAT the next Ordinary Meeting of Council be held on Tuesday, 20 September 2022 at 5:30pm at , Civic Plaza, 1 Chung Wah Terrace, Palmerston.

CARRIED 10/514 – 6/09/2022

19 CLOSURE OF MEETING TO PUBLIC

Moved: Councillor Fraser
Seconded: Deputy Mayor Garden

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 10/515 - 6/09/2022

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Moved: Deputy Mayor Garden
Seconded: Councillor Giesecke

THAT the meeting be adjourned for 10 minutes for media liaison.

CARRIED 10/516 - 6/09/2022

The meeting adjourned at 5.57pm.

The Chair declared the meeting closed at 7.39pm.



Chair

Mayor Athina Pascoe-Bell

Print Name

20 September 2022

Date