



city of  
**PALMERSTON**  
*'A Place for People'*

# 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



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Minutes of Council Meeting  
held in Council Chambers  
Civic Plaza, 1 Chung Wah Terrace, Palmerston  
on Tuesday 21 November 2023 at 5:30pm.

## PRESENT

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### 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

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## 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.

**Question:**

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**

Initials:





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## 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 <i>Local Government Act 2019</i> and section 51(1)(c)(ii) 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 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 <i>Local Government Act 2019</i> and section 51(1)(c)(ii) 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 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 <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.
25.1.2	Council Property Agreements and Contracts	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.
25.1.3	Rate Concession Assessment	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

Initials:



		<p>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.</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>
25.1.4	Council Project Initiative	<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)(iv) 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 that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.</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)(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.</p>
25.1.5	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)(c)(ii) 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 that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law.</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.
25.1.6	Council Project Initiative	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.
25.2.1	Council Project Initiative	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)(iv) 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 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: Councillor Garden  
Seconded: 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.

Initials:





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

1. 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

**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**

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**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

Initials: