

MINUTES

1st Ordinary Council Meeting Tuesday 10 December 2024

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

Council business papers can be viewed on the City of Palmerston website www.palmerston.nt.gov.au



A Place for People

Minutes of Council Meeting
held in Council Chambers
Civic Plaza, 1 Chung Wah Terrace, Palmerston
on Tuesday 10 December 2024 at 5:30pm.

PRESENT

ELECTED MEMBERS

Mayor Athina Pascoe-Bell (Chair)
Deputy Mayor Mark Fraser
Councillor Amber Garden
Councillor Benjamin Giesecke
Councillor Damian Hale
Councillor Sarah Henderson

STAFF

Chief Executive Officer, Amelia Vellar
General Manager Infrastructure, Nadine Nilon
Acting General Manager Finance and Governance,
Jeffrey Guilas
General Manager Community, Konrad Seidl
General Manager People and Place, Emma Blight
Minute Secretary, Jodi Holden
Executive Assistant Infrastructure, Monica Silva

GALLERY

Three members of staff

Initials:

A Place for People

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 5.33pm.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Moved: Deputy Mayor Fraser
Seconded: Councillor Garden

THAT the apology received from Councillor Eveleigh for 10 December 2024 be received and noted.

CARRIED (6/0) - 10/1651 - 10/12/2024

3.2 Leave of Absence Previously Granted

THAT it be noted the following Elected Members have an approved Leave of Absence previously granted for this meeting:

Councillor Morrison

4 AUDIO/AUDIOVISUAL CONFERENCING PREVIOUSLY GRANTED

Nil

5 DECLARATION OF INTEREST

5.1 Elected Members

Moved: Deputy Mayor Fraser
Seconded: Councillor Hale

1. THAT the Declaration of Interest received from Mayor Pascoe-Bell for Items 13.2.2 and 27.2.1 be received and noted.

2. THAT the Declaration of Interest received from Councillor Hale for Item 27.1.2 be received and noted.

CARRIED (6/0) - 10/1652 - 10/12/2024

5.2 Staff

Nil

Initials: _____

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Councillor Hale
Seconded: Councillor Henderson

THAT the Minutes of the Council Meeting held on 19 November 2024 pages 11515 to 11523 and the Minutes of the Special Council Meeting held 29 November 2024 pages 11529 to 11531 be confirmed.

CARRIED (6/0) - 10/1653 - 10/12/2024

6.2 Business Arising from Previous Meeting

Nil

7 MAYORAL REPORT

Moved: Mayor Pascoe-Bell
Seconded: Councillor Garden

THAT Report entitled Mayoral Update Report - November 2024 be received and noted.

CARRIED (6/0) - 10/1654 - 10/12/2024

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 LEAVE OF ABSENCE REQUESTS

Moved: Deputy Mayor Fraser
Seconded: Councillor Henderson

1. THAT the leave of absence received from Councillor Hale for 1 December to 8 December 2024 inclusive be received and noted.
2. THAT each decision be moved to the Open Minutes at expiry of the leave of absence.

CARRIED (6/0) - 10/1636 - 19/11/2024

10.1.2 LEAVE OF ABSENCE REQUESTS

Moved: Councillor Morrison
Seconded: Councillor Giesecke

3. THAT the leave of absence received from Councillor Giesecke for 28 November to 1 December 2024 inclusive be received and noted.
7. THAT each decision be moved to the Open Minutes at expiry of the leave of absence.

CARRIED (6/0) - 10/1557 - 1/10/2024

10.1.3 48 Odegaard Property Investments - Annual Performance Report

Moved: Councillor Hale
Seconded: Councillor Giesecke

1. THAT Report entitled 48 Odegaard Property Investments - Annual Performance Report be received and noted.
2. THAT Council continues to undertake the following and report back to Council as required but no later than 31 December 2025.
 - a) Continue to monitor the performance of the investment property,
 - b) Investigate divestment options for the investment property once the subdivision process is finalised
3. THAT the Council Decision relating to the Report entitled 48 Odegaard Property Investments - Annual Performance Report be moved to the Open Minutes of the 10 December 2024 meeting.

CARRIED (6/0) - 10/1683 - 10/12/2024

10.1.4 2025-26 Budget Development Timeline

Moved: Councillor Garden
Seconded: Deputy Mayor Fraser

1. THAT Report entitled 2025-26 Budget Development Timeline be received and noted.
2. THAT the Council endorse the 2025-26 Budget Timeline contained in the report entitled 2025-26 Budget Development Timeline.
3. THAT the Council Decision relating to the Report entitled 2025-26 Budget Development Timeline be moved to the Open Minutes of the 10 December 2024 Meeting.

CARRIED (6/0) - 10/1684 - 10/12/2024

10.1.5 Interim CEO Resignation

Moved: Councillor Garden
Seconded: Councillor Henderson

1. THAT Report entitled Interim CEO Resignation be received and noted.
2. THAT Council endorses the resignation of the interim Chief Executive Officer Amelia Vellar effective Sunday 12 January 2025.
3. THAT Council appoint Nadine Nilon as the City of Palmerston interim Chief Executive Officer.
4. *This decision remains confidential subject to Section 99(2) and 293(1) of the Local Government Act and section 51(1)(a) and 51(1)(c)(iv) of the Local Government (General) Regulations 2021.*
5. THAT Council endorses that the Chief Executive Officer Delegations apply to the interim Chief Executive Officer, being **Attachment 27.1.8.3** to report entitled Interim CEO Resignation.
6. *This decision remains confidential subject to Section 99(2) and 293(1) of the Local Government Act and section 51(1)(a) and 51(1)(c)(iv) of the Local Government (General) Regulations 2021.*

CARRIED (6/0) - 10/1686 - 10/12/2024

10.2 Moving Open Items into Confidential

Nil

10.3 Confidential Items

Moved: Councillor Hale
Seconded: Deputy Mayor Fraser

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
27.1.1	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)(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.
27.1.2	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)(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.
27.1.3	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)(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.
27.1.4	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 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.
27.1.5	Council Performance, Service Delivery and Budget Review	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.
27.1.6	Council Performance, Service Delivery and Budget Review	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.
27.1.7	Legal Advice	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.

Initials: _____

		<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> <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>
27.1.8	Matters Relating to Council Staff and or Elected Members	<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)(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>
27.2.1	Complaint of a Contravention of the Code of Conduct	<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)(f) 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 in relation to a complaint of a contravention of the code of conduct.</p>
27.2.2	Contract and Tender Assessment and Award	<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)(i) 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</p>

		disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.
27.2.3	Council Performance, Service Delivery and Budget Review	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.

CARRIED (6/0) - 10/1655 - 10/12/2024

11 PETITIONS

Nil

12 NOTICES OF MOTION

Nil

13 OFFICER REPORTS

13.1 Action Reports

13.1.1 Community Safety Advisory Committee Minutes - 12 November 2024

Moved: Councillor Hale
Seconded: Councillor Henderson

1. THAT Report entitled Community Safety Advisory Committee Minutes - 12 November 2024 be received and noted.
2. THAT the unconfirmed Community Safety Advisory Committee minutes provided as **Attachment 13.1.1.1** to report entitled Community Safety Advisory Committee Minutes - 12 November 2024 be received and noted.
3. THAT Council seeks nominations for the position of Department of the Chief Minister and Cabinet Representative on the Community Safety Advisory Committee from Department of the Chief Minister and Cabinet.
4. THAT Council endorse the proposed recommendations from the Community Safety Advisory Committee meeting held on 12 November 2024, being:
 - a. THAT a review of the Community Safety Advisory Committee meeting schedule take place after the declaration of the poll following the Local Government Election in 2025.
 - b. THAT the Chair write to Sarah Gotch, thanking her for her contribution to the Community Safety Advisory Committee.
5. THAT Council does not endorse the proposed recommendations from the Community Safety Advisory Committee meeting held on 12 November 2024, being:

Initials: _____

- a. THAT the Community Safety Advisory Committee meetings for 2025 be scheduled as follows:
 - i. 5:30pm Tuesday 11 February 2025 in Council Chambers
 - ii. 5:30pm Tuesday 13 April 2025 in Council Chambers
6. THAT council endorse the revised Community Safety Advisory Committee meetings for 2025 be scheduled as follows:
 - a. THAT the Community Safety Advisory Committee meetings for 2025 be scheduled as follows:
 - i. 5:30pm Tuesday 11 February 2025 in Council Chambers
 - ii. 5:30pm Tuesday 13 May 2025 in Council Chambers

CARRIED (6/0) - 10/1656 – 10/12/2024

13.1.2 Council Policy Review - Audio/AudioVisual Conferencing

Moved: Mayor Pascoe-Bell

Seconded: Councillor Garden

1. THAT Report entitled Council Policy Review - Audio/AudioVisual Conferencing be received and noted.
2. THAT City of Palmerston's Audio/Audiovisual Conferencing Policy be amended as follows:
 - a. 4.1.1 - insert after 'A Member may attend a meeting via audio or audiovisual conferencing' the words 'to allow the business of Council to continue by maintaining quorum or.'
 - b. Insert new clause after 4.1.1 - 'A Member may also attend a Special Council Meeting via audio or audiovisual conferencing when physically prevented from attending a meeting due to short notice.'
 - c. 4.1.3 - insert after 'a Member must advise the Chief executive Officer of City of Palmerston (CEO)' the words 'with a minimum of one hours' notice.'
 - d. 4.2 General responsibilities (To be inserted)
 - I. 4.2.1 Council is committed to facilitating access and participation in meetings by permitting members to be present and participate remotely via audio or audiovisual conferencing system if a specific need arises.
 - II. 4.2.2 The CEO will ensure the provision of an adequate conferencing system at the location of the meeting, and information that enables members to attend.
 - III. 4.2.3 Members are responsible for ensuring they have access to appropriate technology connections to attend via audio / audiovisual.

CARRIED (6/0) - 10/1657 – 10/12/2024

Initials: _____

13.1.3 2023-24 Year End Surplus Analysis Report

Moved: Councillor Garden
Seconded: Councillor Henderson

1. THAT Report entitled 2023-24 Year End Surplus Analysis Report be received and noted.
2. THAT Council adopts the end of financial year reserve movements for 2022/23 of:
Transfers to Reserve:
 - a. \$313,471 to Waste Reserves
 - b. \$338,970 to FILOC Reserve - Making the Switch Loan
 - c. \$50,000 transfer to Election Reserve
 - d. \$80,000 to FILOC Reserve - SWELL Loan
 - e. \$278,489 for Developer Contributions FILOC
 - f. THAT Council transfer the remaining \$371,668 surplus to the Working Capital Reserve for future use.

CARRIED (6/0) - 10/1658 - 10/12/2024

13.1.4 Council Policy Review - Debt Collection

Moved: Deputy Mayor Fraser
Seconded: Councillor Henderson

1. THAT Report entitled Council Policy Review - Debt Collection be received and noted.
2. THAT Council adopt the amended Policy *Debt Collection* as presented as **Attachment 13.1.4.3** with administrative changes to Report entitled Council Policy Review Debt Collection.

CARRIED (6/0) - 10/1659 - 10/12/2024

13.1.5 New Council Policy - Elected Member Absences

Moved: Deputy Mayor Fraser
Seconded: Councillor Henderson

1. THAT Report entitled New Council Policy - Elected Member Absences be received and noted.
2. THAT Council adopts the Elected Member Absences Policy as per **Attachment 13.1.5.1** of report entitled New Council Policy - Elected Member Absences.
3. THAT Council adopts the Elected Member Absences Policy as per Attachment 13.1.5.1 of report entitled New Council Policy - Elected Member Absences, as amended to replace clauses 1.4.2 and 1.4.6 with:
 - a. 1.4.2. If a Council decision is made by way of resolution pursuant to the *Local Government Act 2019 and Regulations* to reject an apology, this will have the effect of the Councillor being absent without permission.
 - b. 1.4.6 If at that Council Meeting an appeal is unsuccessful, the Member may be disqualified as per the *Local Government Act 2019*.

CARRIED (6/0) - 10/1660 - 10/12/2024

Initials: _____

13.1.6 Council Policy Review - Preserving our Urban Forest

Moved: Councillor Giesecke
Seconded: Councillor Garden

1. THAT Report entitled Council Policy Review - Preserving our Urban Forest be received and noted.
2. THAT a 21-day public notice period is undertaken, commencing in January 2025, seeking comments from the community on the draft Preserving our Urban Forest Policy.
3. THAT following the public consultation period the draft Preserving our Urban Forest Policy incorporating feedback is presented to Council for adoption.

CARRIED (6/0) - 10/1661 - 10/12/2024

13.1.7 First Budget Review 2024-25

Moved: Deputy Mayor Fraser
Seconded: Councillor Giesecke

1. THAT Report entitled First Budget Review 2024-25 be received and noted.
2. THAT Council adopts the First Budget Review 2024/25, pursuant to Division 4 (9) of the *Local Government (General) Regulations 2021* as presented in **Attachment 13.1.7.1** of report entitled First Budget Review 2024-25.
3. THAT Council adopts the revised Long Term Financial Plan as presented in **Attachment 13.1.7.3** of report entitled First Budget Review 2024-25, pursuant to Division 4 (9) of the *Local Government (General) Regulations 2021*.

CARRIED (6/0) - 10/1662 - 10/12/2024

13.1.8 City of Palmerston Town Clock

Moved: Councillor Henderson
Seconded: Councillor Hale

1. THAT Report entitled City of Palmerston Town Clock be received and noted.
2. THAT Council does not proceed with the implementation of a Town Clock in Palmerston.

CARRIED (6/0) - 10/1663 - 10/12/2024

13.2 Receive and Note Reports

13.2.1 Financial Report for the Month of November 2024

Moved: Councillor Hale
Seconded: Councillor Garden

THAT Report entitled Financial Report for the Month of November 2024 be received and noted.

CARRIED (6/0) - 10/1664 - 10/12/2024

*Mayor Pascoe-Bell declared a conflict of interest and left Chambers at 6.36 pm.
Deputy Mayor Fraser assumed the Chair at 6.36 pm.*

13.2.2 Community Benefit Scheme - November Update

Moved: Councillor Hale
Seconded: Councillor Garden

THAT Report entitled Community Benefit Scheme - November Update be received and noted.

CARRIED (5/0) - 10/1665 - 10/12/2024

Mayor Pascoe-Bell returned to Chambers at 6.38pm and resumed the Chair.

*Councillor Giesecke left Chambers at 6.39pm
Councillor Giesecke returned to Chambers at 6.39pm.*

13.2.3 Major Capital Projects Update - December 2024

Moved: Councillor Henderson
Seconded: Deputy Mayor Fraser

THAT Report entitled Major Capital Projects Update - December 2024 be received and noted.

CARRIED (6/0) - 10/1666 - 10/12/2024

13.2.4 SWELL Palmerston Update 2024

Moved: Deputy Mayor Fraser
Seconded: Councillor Henderson

THAT Report entitled SWELL Palmerston Update 2024 be received and noted.

CARRIED (6/0) - 10/1667 - 10/12/2024

13.2.5 Reconciliation Action Plan Update

Moved: Councillor Garden
Seconded: Councillor Henderson

THAT Report entitled Reconciliation Action Plan Update be received and noted.

CARRIED (6/0) - 10/1668 - 10/12/2024

14 INFORMATION AND CORRESPONDENCE

14.1 Information

Nil

14.2 Correspondence

14.2.1 Correspondence from Hon Steven Edgington MLA

Moved: Councillor Garden
Seconded: Deputy Mayor Fraser

THAT correspondence dated 8 November 2024 14.2.1 entitled Correspondence from Hon Steven Edgington MLA be received and noted.

CARRIED (6/0) - 10/1669 - 10/12/2024

15 REPORT OF DELEGATES

Moved: Mayor Pascoe-Bell
Seconded: Councillor Hale

1. THAT the verbal report provided by Mayor Pascoe-Bell regarding TOPROC meeting of 6 December 2024 be received and noted.
2. THAT the verbal report provided by Mayor Pascoe-Bell regarding Regional Capitals Australia meeting of 10 December 2024 be received and noted.
3. THAT the verbal report provided by Councillor Giesecke regarding the November 2024 Tourism Top End meeting be received and noted.

CARRIED (6/0) - 10/1670 - 10/12/2024

16 QUESTIONS BY MEMBERS

Moved: Councillor Hale
Seconded: Deputy Mayor Fraser

THAT the question asked by Councillor Hale regarding mowing contractor performance and the response provided by the General Manager Infrastructure be received and noted.

CARRIED (6/0) - 10/1671 - 10/12/2024

17 GENERAL BUSINESS

Nil

A Place for People

18 NEXT ORDINARY COUNCIL MEETING

Moved: Councillor Garden
Seconded: Councillor Henderson

THAT the next Ordinary Meeting of Council be held on Tuesday, 21 January 2025 at 5:30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

CARRIED (6/0) - 10/1672 - 10/12/2024

19 CLOSURE OF MEETING TO PUBLIC

Moved: Councillor Hale
Seconded: Councillor Giesecke

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 (6/0) - 10/1673 - 10/12/2024

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Moved: Councillor Giesecke
Seconded: Councillor Henderson

THAT the meeting be adjourned for ten minutes.

CARRIED (6/0) - 10/1674 - 10/12/2024

The meeting adjourned at 7.07pm.

The open section of the meeting closed at 7.07pm for the discussion of confidential matters.

The closed section of the meeting reopened at 7.12pm.

The Chair declared the meeting closed at 8.52pm.

Chair

Print Name

Date

Initials: