

AGENDA

1st Ordinary Council Meeting

Tuesday 7 May 2024

The Ordinary Meeting of the City of Palmerston will be held in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston, NT 0830 commencing at 5:30 PM.

Council business papers can be viewed on the City of Palmerston website www.palmerston.nt.gov.au or at the Council Office located: Civic Plaza, 1 Chung Wah Terrace, Palmerston NT 0830.



LUCCIO CERCARELLI
CHIEF EXECUTIVE OFFICER



A Place for People

TABLE OF CONTENT

1	ACKNOWLEDGEMENT OF COUNTRY.....	5
2	OPENING OF MEETING	5
3	APOLOGIES AND LEAVE OF ABSENCE.....	5
3.1	Apologies	5
3.2	Leave of Absence Previously Granted.....	5
3.3	Leave of Absence Request	5
4	REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING	5
5	DECLARATION OF INTEREST	5
5.1	Elected Members.....	5
5.2	Staff.....	5
6	CONFIRMATION OF MINUTES.....	5
6.1	Confirmation of Minutes	5
6.2	Business Arising from Previous Meeting	5
7	MAYORAL REPORT	5
8	DEPUTATIONS AND PRESENTATIONS.....	5
9	PUBLIC QUESTION TIME (WRITTEN SUBMISSIONS).....	5
10	CONFIDENTIAL ITEMS	5
10.1	Moving Confidential Items into Open	5
10.2	Moving Open Items into Confidential	5
10.3	Confidential Items	5



A Place for People

11 PETITIONS.....	6
12 NOTICES OF MOTION.....	6
13 OFFICER REPORTS	6
13.1 Action Reports.....	7
13.1.1 Community Benefit Scheme - Walking Off the War Within.....	7
13.1.2 Community Benefit Scheme - Palmerston Golf and Country Club request to defer 2023/24 sponsorship	13
13.1.3 Final Adoption of the Palmerston Animal By-Laws	18
13.1.4 Vibrant Economy Advisory Committee Minutes - 29 April 2024	58
13.2 Receive and Note Reports	73
13.2.1 Social Media Strategy Review 2022-2023.....	73
14 INFORMATION AND CORRESPONDENCE	80
14.1 Information	80
14.2 Correspondence	80
14.2.1 Department of the Chief Minister and Cabinet - Social Media Information sheet and Social Media Guide	80
14.2.2 Department of Territory Families, Housing and Communities - Transfer of Public Housing Tenancies to Community Housing Provider	91
15 REPORT OF DELEGATES	93
16 QUESTIONS BY MEMBERS.....	93
17 GENERAL BUSINESS	93
18 NEXT ORDINARY COUNCIL MEETING.....	93
19 CLOSURE OF MEETING TO PUBLIC	93



A Place for People

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON.....93

A Place for People

1 ACKNOWLEDGEMENT OF COUNTRY

2 OPENING OF MEETING

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

3.2 Leave of Absence Previously Granted

3.3 Leave of Absence Request

4 REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING

5 DECLARATION OF INTEREST

5.1 Elected Members

5.2 Staff

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

THAT the Minutes of the Council Meeting held on 16 April 2024 pages 11304 to 11314 be confirmed.

6.2 Business Arising from Previous Meeting

7 MAYORAL REPORT

8 DEPUTATIONS AND PRESENTATIONS

9 PUBLIC QUESTION TIME (WRITTEN SUBMISSIONS)

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

10.2 Moving Open Items into Confidential

10.3 Confidential Items

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.
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)(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	Matters Relating to Council Staff and or Elected Members	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.
25.2.1	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.

11 PETITIONS

12 NOTICES OF MOTION

13 OFFICER REPORTS

COUNCIL REPORT

1st Ordinary Council Meeting

AGENDA ITEM:	13.1.1
REPORT TITLE:	Community Benefit Scheme - Walking Off the War Within
MEETING DATE:	Tuesday 7 May 2024
AUTHOR:	City Activation Manager, Matthew McNamara
APPROVER:	Deputy Chief Executive Officer, Amelia Vellar

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

This Report seeks Council approval of a Community Benefit Scheme Sponsorship Application from Walking Off the War Within to support their annual Challenge Event at East Point.

KEY MESSAGES

- Walking Off the War Within is a national event held annually to raise awareness for PTSD and depression among Veterans, First Responders, and the Wider Community.
- Council provides funding through the Community Benefit Scheme to eligible community groups and organisations.
- City of Palmerston has previously supported this event in 2021 and 2023.
- The organisation is seeking a three-year sponsorship agreement from 2024-2026 for \$5,000 annually to the total value of \$15,000.
- Council's Policy Grants, Donations and Sponsorship Policy, requires any applications that do not comply with the criteria outlined in the Policy but are deemed to have merit by the Chief Executive Officer, be referred to council with a recommendation for consideration and determination.
- It is being recommending that Council fund the event, with a \$2,000 sponsorship.
- At the time of writing this Report \$5180 is available in Community Benefit Scheme funding for future projects and events that benefit the Palmerston community in this financial year.

RECOMMENDATION

1. THAT Report entitled Community Benefit Scheme - Walking Off the War Within be received and noted.
2. THAT Council approves a one-off \$2,000 sponsorship payment for the Walking Off the War Within September 2024 Event, to be funded from the 2024/25 Community Benefit Scheme as detailed in Report entitled Community Benefit Scheme - Walking Off the War Within.

BACKGROUND

Walking Off the War Within (WOTWW) is a national event held annually to raise awareness for Post Traumatic Stress Disorder (PTSD) and depression among Veterans, First Responders, and the wider community.

The event has been held in Darwin since 2018, is family friendly and includes a “Challenge” to walk 5km – 20km with or without a 20kg pack. In addition to the Challenge the event will include Children’s Activities, displays, face painting, food, and coffee.

City of Palmerston has previously supported the Walking Off the War Within event in 2021 to the value of \$1,000 and 2023 for \$2,000. This funding was approved within the CEO’s delegation according to the Grants, Donations and Sponsorships Policy.

Since 2018, 1180 Palmerston residents have participated in the Challenge, with numbers continuing to grow each year. Palmerston has a high proportion of Defence personnel residing in the municipality due to the proximity to major Defence bases including Robertson Barracks, Defence Establishment Berrimah, Larrakeyah Barracks and RAAF Base Darwin. Mental health challenges are a prominent issue in the Northern Territory which experiences the highest rates of death by suicide in Australia. Further to this, there is currently a Royal Commission occurring into Defence and Veteran suicide which highlights the significance of Veterans Mental Health within the Palmerston Community.

This Report seeks Council approval to support the Chief Executive Officer recommendation of a one-off \$2000 sponsorship payment for the 2024 Walking Off the War Within Event, which has been deemed by the Chief Executive Officer to have merit to the Palmerston community.

DISCUSSION

WOTWW has requested City of Palmerston become a multiyear sponsor of the Challenge for three (3) years for \$5,000 annually, to the total value of \$15,000 as outlined in **Attachment 13.1.1.1**. However, Council Officers note that this activity is being held outside of Palmerston with no intention to relocate, offer activities, or target marketing and promotion in Palmerston.

This proposal has not included details of how City of Palmerston will be acknowledged.

Officers have deemed that this event does have merit to the Palmerston Community as Palmerston maintains a robust Defence Force representation and this strong connection adds value to the City of Palmerston. However, it is noted that WOTWW has already received funding this financial year making them ineligible according to the City of Palmerston Grants, Donations and Sponsorships Policy Section 4.1.6: *Financial support will be restricted to one successful application per financial year,*

Nonetheless, the request has been considered under Section 4.9 of the Policy which states: *Where a request for a Grant, Donation or Sponsorship is made which does not comply with the criteria outlined above and is deemed to have merit by the Chief Executive Officer, the request will be referred, with recommendation to Council for consideration and determination.* Consequently, the recommendation is to refer the request to Council for discussion with the possibility of mitigating the issue by providing funding for the event from the 2024/25 budget.

Furthermore, it is recommended moving forward that City of Palmerston engage with representatives of WOTWW to investigate possibilities for relocating the event to the Palmerston municipal area and advise that any subsequent support for this event should be limited unless the event opts for relocation.

At the time of writing, there is \$5,180 available in CBS funding for future projects and events for this financial year. If the recommendation is approved to allocate the sponsorship from the 2024/25 budget, it will not affect the 2023/24 budget.

CONSULTATION AND MARKETING

The following City of Palmerston staff were consulted in preparing this Report:

- Community Development Officer

- City Activation Officer

POLICY IMPLICATIONS

In preparing this report, the following policies are relevant:

- [Grants Donation or Sponsorship Policy](#)

BUDGET AND RESOURCE IMPLICATIONS

The CBS budget for 2023/24 fiscal year for grants donation and sponsorships is \$230,000. \$224,820 has been expended for projects which will benefit the Palmerston Community with \$5,180 remaining for future project and activities.

The recommendation is to fund this event from the 2024/25 budget.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

If Council fails to provide financial support to Walking Off the War Within 2024 event in Darwin, this could potentially jeopardise the relationship with Palmerston's defence community,

This Report addresses the following City of Palmerston Strategic Risks:

3. **Economic Development**
Failure to articulate, provide and promote the value proposition for Palmerston as an economic centre to attract investment.
4. **Inclusion, Diversity and Access**
Failure to balance meeting needs of Palmerston's cultural mosaic
6. **Governance**
Failure to effectively govern.

STRATEGIES, FRAMEWORK AND PLANS IMPLICATIONS

This report relates to the [Creative Industries Plan 2023-2027](#) and the [Inclusive, Diverse and Accessible Policy Framework](#).

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

1. 20240301 - WOTWWW Sponsorship Application and Supporting Documentation [13.1.1.1 - 3 pages]



APPLICATION FORM

SPONSORSHIP

REQUESTS OF ANY VALUE

Organisation Name: _____

Contact Name: _____

Position of Contact: _____

Telephone: _____ Mobile: _____

Email: _____

Postal Address: _____

Residential Address: _____

Account Name: _____

Account Number: _____ BSB: _____

Amount Requested: _____ ABN: _____

Activity Name: _____ Activity Date: _____

Location of Activity: _____

ATTACHED WRITTEN APPLICATION WHICH INCLUDES:

A copy of the Sponsorship Package which details all levels/categories of sponsorship including costs and benefits to City of Palmerston.

Funding of this proposed activity/event/item will benefit the Palmerston Community, by: _____

and relates to the following goals and strategies in the City of Palmerston Community Plan: _____

Signed:  _____ Date: _____

PLEASE RETURN COMPLETED FORM WITH ATTACHED APPLICATION TO THE CITY OF PALMERSTON

-  In Person: Civic Plaza, 1 Chung Wah Terrace, Palmerston
-  PO Box 1 Palmerston NT 0831  8935 9922
-  palmerston@palmerston.nt.gov.au  8935 9900

The City of Palmerston complies with the information Privacy Principles contained in the *Information Act* (NT). These principles protect the privacy of personal information collected and held by Council. Council's privacy statement is available from the City of Palmerston, Civic Plaza, 1 Chung Wah Terrace, or via our website on www.palmerston.nt.gov.au.



Response to Sponsorship Application

Funding of this proposed activity will benefit the Palmerston community by...

Walking Off The War Within (WOTWW) is a FREE all-inclusive event that raises awareness for PTSD and depression among veterans, first responders, and the wider community. Our events focus on raising awareness of mental health and building strong and resilient communities who are not afraid to speak up. WOTWW is about being a part of something, taking a stand, making a difference and the connections that you make as you walk and talk together.

The event aims to promote conversation and understanding around mental health issues. The event also aims to connect veterans to other ESO's & government organisations who will be in attendance on the day.

The community impact from this event is significant. The more people walking, the more positive conversations about mental health. The more conversations, the more we start to shake the stigma associated with mental health. The more funds raised through ticket sales, more surplus funds can be donated to support agencies who work in mental health. For participants the impact is possibly life changing.

Many walkers are living with mental health challenges or are family members of people who have taken their own lives. For them to see a community of thousands come out in support of mental health may be just what they need to set them on the path of recovery

WOTWW relates to the following goals and strategies in the City of Palmerston Community Plan.

After reviewing the Palmerston Council Community Plan, it is clear to us that Walking Off The War Within is strongly aligned with the goals and aspirations of the Palmerston Council. Our event is a family friendly, community event that supports people living with and managing their own and others' mental-health. It works to shine a positive light on mental health and suicide prevention.

The Council's vision for Palmerston to be a 'place for people', a welcoming vibrant family city where everyone belongs and feels safe is what our event embodies.

Our vision is to encourage people to speak up and shake the stigma associated with suicide and mental health to reduce suicide rates in communities around Australia and our mission is to create inclusive community events that stomps out the stigma associated with mental health and suicide and encourages people to share the burden and walk as one.

These aspirations are aligned and strongly related.

Of the six key focus areas in Council's Community Plan, our event is most related to 'family and community'. There are some examples of how our event also helps Council to meet its 'governance' outcomes.

Objective 1.2 – The wellbeing of our community is a focus for all of our work



Council has strong partnerships and works in collaboration with those who provide social services to the community to better coordinate the delivery and effectiveness of these services.

Our event provides an important social service to the community by shining a light on mental health. In the Northern Territory, sadly deaths through suicide are amongst the highest in the country. To let people know that they need not walk alone and that they can share the burden, is a way to change this statistic.

We have local service providers attend to provide information to walkers and their families about mental health services for the community.

The Palmerston Council Plan Governance statement says:

Local government must be closely connected to its community, working in partnership to deliver what is needed to support people's lives. In doing so, Council is actively pursuing its communities' trust, through being open, accessible and accountable

Our event provides an opportunity for people to walk and talk for mental health. It demonstrates that people need not suffer alone and that support is available. These are all critical things that are needed to support peoples' lives.

Our event works hard to fostering community wellbeing, promote healthy lifestyles and build resilient communities. We address suicide and mental health, which are both serious community safety issues. We create a positive engaging community event, providing locals with volunteer hours and opportunities and helps build a resilient community.

Your plan also declares that Council is committed to showing corporate and social responsibility, and that you value your people and the culture of the organisation.

To support an important event such as Walking Off The War Within, you are showing your people, your staff and your community that you're committed to their mental health and well-being. By supporting this event, there are volunteer opportunities that your staff may like to explore, this allows them to play an important role in shaking the stigma associated with suicide and mental health.

Whilst this event is not held within the Palmerston Municipality, a significant number of Palmerston residents participate in the walk each year. At our last event held in 2021, 52% of attendees (547 people) registered with a Palmerston address.

This year we are seeking your support and backing for the events continuation with an annual sponsorship of \$5,000 a year for three years. A total request of \$15,000.

With thanks in advance for your consideration, I look forward to hearing from you soon.

Ashley Jones
WOTWW NT Director
0400810003

COUNCIL REPORT

1st Ordinary Council Meeting

AGENDA ITEM:	13.1.2
REPORT TITLE:	Community Benefit Scheme - Palmerston Golf and Country Club request to defer 2023/24 sponsorship
MEETING DATE:	Tuesday 7 May 2024
AUTHOR:	Community Development Officer, Kate Townsend
APPROVER:	Chief Executive Officer, Luccio Cercarelli

COMMUNITY PLAN

Family and Community: Palmerston is a safe and family friendly community where everyone belongs.

PURPOSE

This Report seeks Council approval for an amendment to the Palmerston Golf and Country Club Sponsorship to defer payment of their 2023/24 sponsorship payment to 2025/26.

KEY MESSAGES

- In 2023 City of Palmerston entered into a Sponsorship Agreement with the Palmerston Golf and Country Club to support the delivery of the Northern Territory PGA Championship for \$30,000 annually for three (3) years from 2024-2026 to the total value of \$90,000.
- In March this year, the Palmerston Golf and Country Club (PGCC) advised Council that due to delays in the installation of irrigation upgrades, the Northern Territory PGA Championship would be unable to go ahead for 2024.
- The PGCC is investing significantly to upgrade the irrigation at the Palmerston Golf Course to improve the facility and water efficiency, aligning to Council's objectives for sustainability.
- The PGCC have requested Council defer the 2023/24 sponsorship payment, to instead be made in the 2025/26 financial year.
- The PGA Championship delivers a wide range of community benefits including community engagement, development of golf as a recreational activity in the region, estimated \$1.6 million economic benefit to local businesses through accommodation and incidental spending.

RECOMMENDATION

1. THAT Report entitled Community Benefit Scheme - Palmerston Golf and Country Club request to defer 2023/24 sponsorship be received and noted.
2. THAT Council approve an amendment to the Palmerston Golf and Country Club Memorandum of Understanding to defer the annual \$30,000 sponsorship payment from the 2023/24 financial year to 2025/26 keeping all other conditions of funding the same.

BACKGROUND

Council provides funding through the Community Benefit Scheme (CBS) to eligible community groups and organizations to deliver activities, projects and services that benefit the Palmerston community.

The City of Palmerston has supported Palmerston Golf and Country Club in the delivery of the Northern Territory PGA Championship since 2016 with both in-kind and financial support. Since 2018 Council has entered three (3) formal agreements with the PGCC through the Community benefit scheme to the total value of \$210,000. The most recent agreement was endorsed on 4 April 2023.

At the 1st Ordinary Meeting of 4 April 2023 Council made the following decisions:

13.1.3 Community Benefit Scheme – Palmerston Golf and Country Club Northern Territory PGA Championship Sponsorship Application.

Moved: Councillor Eveleigh

Seconded: Councillor Fraser

1. THAT Report entitled Community Benefit Scheme – Palmerston Golf and Country Club Northern Territory PGA Championship Application be received and noted.
2. THAT Council approves a three-year Community Benefit Scheme Sponsorship application from Palmerston Golf and Country Club of \$30,000 per year for 2023/24, 2024/25 and 2025/26, a total value of \$90,000 as outlined in Attachment 13.1.3.1 to report entitled Community Benefit Scheme – Palmerston Golf and Country Club Northern Territory PGA Championship Sponsorship Application to host the Northern Territory PGA Championship in Palmerston, to be funded from the Community Benefit Scheme.

CARRIED 10/778 – 4/04/2023

DISCUSSION

On 18 March 2024, the Palmerston Golf and Country Club (PGCC) informed Council through a letter to the Chief Executive Officer being **Attachment 13.1.2.1** to report entitled Community Benefit Scheme - Palmerston Golf and Country Club request to defer 2023/24 sponsorship, that due to delays outside their control in undertaking planned irrigation upgrades on the course, the club will be unable to deliver the Northern Territory PGA Championship in August/September 2024. The PGCC is investing significantly to upgrade the irrigation at the Palmerston Golf Course to improve the facility and water efficiency, aligning to Council's Sustainability Strategy Themes of *Future Focused on Efficiencies* and *Lead with Purpose*.

As the Club is unable to deliver the Northern Territory PGA Championship as outlined in the Memorandum of Understanding (MOU) signed on 11 May 2023, they have requested that the sponsorship payment scheduled for 2023/2024 be amended to defer payment to 2025/2026 to extend their agreement by one (1) year. The PGCC is committed to the continued delivery of this event and has not sought additional funding.

The Northern Territory PGA Championship is an international event which has significant branding opportunities for the City of Palmerston, as well as elements of economic development and social benefit to Palmerston residents.

The PGCC has successfully staged the six-day Northern Territory PGA Championship since 2016 and has received sponsorship from Council since its inception. The event attracts many participants and golf followers across the six (6) days who spend and stay locally in Palmerston.

This annual PGA championship is the most prestigious golfing event held in the Northern Territory and has grown to encompass a wide variety of outcomes for Palmerston including:

- Community engagement through active participation in programs
- Volunteering and spectating
- Development of golf as a recreational activity in the region

A Place for People

- Economic benefits to local businesses through accommodation, vehicle hire, food and beverage and other incidental purchases
- Raising the profile of Palmerston as a tourist destination.

The PGA Championship delivers a wide range of community benefits including community engagement, development of golf as a recreational activity in the region, estimated \$1.6 million economic benefit to local businesses through accommodation and incidental spending.

As per the current *Grants, Donations, and Sponsorships Policy* this agreement was endorsed by Council, consequently requiring that any amendments be presented to Council for review. Palmerston Golf and Country Club have judiciously met all conditions of funding in 2022/2023 as per their agreement.

The PGCC have been conscientious to inform Council that they are unable to meet the conditions of funding this financial year with ample notice to allow this funding to be reallocated. The Club has been highly responsive and judicious in meeting all conditions set out in the initial funding agreement to this point. Due to the size and significance of the Northern Territory PGA Championship and benefit to City of Palmerston, it is recommended that the 2023/24 payment scheduled to be made to PGCC is deferred to the 2025/2026 financial year.

To note is that the event is held in August each year, so the Memorandum of Understanding is established for the payment for each year of the MOU to come from the preceding year as shown in the table below:

MOU Year	Payment Year	Event	Note
2023/24	2022/23	August 2023	Paid
2024/25	2023/24	August 2024 – cancelled	Request for payment to be deferred
2025/26	2024/25	August 2025	No change
2026/27	2025/26	August 2026	Deferred payment Requested from 2023/24

CONSULTATION AND MARKETING

The PGA Championship provides significant brand and marketing opportunities for City of Palmerston.

In preparing this Report, the following external parties were consulted:

- General Manager Palmerston Golf and Country Club

POLICY IMPLICATIONS

This request from PGCC to amend the Memorandum of Understanding to defer the 2023/24 payment to 2025/26 must be presented to Council with a recommendation from the Chief Executive Officer as per the City of Palmerston *Grants, Donations and Sponsorship Policy*.

BUDGET AND RESOURCE IMPLICATIONS

The CBS budget for the 2023/24 financial year for grants, donations and sponsorships is \$230,000. At the time of writing \$221,230 has been expended to support projects and activities which benefit the Palmerston Community, leaving \$8,680 remaining for future applications.

If Council approves the above request to defer the PGCC's 2023/24 payment, the amount expended in the CBS Budget will decrease to \$191,320 with \$36,680 remaining to fund future projects. The committed balance carried over to 2025/26 financial year would then grow to become \$92,000.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

There is a risk that not deferring already committed funding for an event that delivers a variety of economic and lifestyle benefits to our community, may result in criticism of the City of Palmerston and its reputation.

This Report addresses the following City of Palmerston Strategic Risks:

3. **Economic Development**
Failure to articulate, provide and promote the value proposition for Palmerston as an economic centre to attract investment.
4. **Inclusion, Diversity and Access**
Failure to balance meeting needs of Palmerston's cultural mosaic
6. **Governance**
Failure to effectively govern.

STRATEGIES, FRAMEWORK AND PLANS IMPLICATIONS

This report relates to the [Sustainability Strategy 2022-2026](#) due to the benefits to the environments water usage and amenity of the area.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

1. 2024 March NTPGA Letter to COP [13.1.2.1 - 1 page]



**PALMERSTON
GOLF & COUNTRY CLUB**
— NORTHERN TERRITORY —

Monday, 18 March 2024

Luccio Cercarelli
CEO
City of Palmerston
Email: luccio.cercarelli@palmerston.nt.gov.au

Re: NTPGA 2023,2024,2025 Sponsorship

Dear Luccio,

I am writing to you today to inform you that regrettably we have made the decision to cancel the 2024 edition of the NTPGA.

As you are aware, we are committed to the replacement of the irrigation system at the Palmerston Golf Course this year. The project started November last year, with the installation of the 2 new pumphouses, and the contractors were supposed to be on site this week to start the install. The contractor has pushed this timeline out to start end of April, which means they won't finish until at least the end of August, leaving us no time to prepare the course to a championship standard.

I am respectfully requesting that the MOU with COP be altered in a way that we can defer the funding until 2025 and 2026. If this cannot be done, I would like to assure you that the Palmerston Golf & Country Club is committed to the event, and in any case, we intend to hold the event in 2025.

Luccio, please do not hesitate to call me if you require more information.

Yours sincerely,

Matthew Hewer (0401 859955)
Palmerston Golf & Country Club

COUNCIL REPORT

1st Ordinary Council Meeting

AGENDA ITEM:	13.1.3
REPORT TITLE:	Final Adoption of the Palmerston Animal By-Laws
MEETING DATE:	Tuesday 7 May 2024
AUTHOR:	Regulatory Services Manager, Angie Heriot
APPROVER:	Acting General Manager Community, Emma Blight

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

This report seeks Councils formal adoption of the City of Palmerston (Animal Management) By-Laws 2024 and authorisation for the Chief Executive Officer to sign them for implementation as of the 1 July 2024.

KEY MESSAGES

- At the 2nd Ordinary Council Meeting of March 2024, Council endorsed the amended draft City of Palmerston (Animal Management) By-Laws 2024 (By-Laws), for the purposes of settlement and for them to be resubmitted to the Office of Parliamentary Counsel for final consideration.
- On 15 April 2024, City of Palmerston obtained the Certificate of Agency from the Chief Executive Officer, Andrew Kirkman of the Department of Chief Minister, and Cabinet.
- The final step in adoption, per section 63A(1)(a)(ii) of the Interpretation Act 1978, requires a person authorised by the Council to sign it; and once signed, given to the Minister administering the provision containing the power.
- If endorsed the By-Laws will come into effect as of the 1 July 2024.

RECOMMENDATION

1. THAT Report entitled Final Adoption of the Palmerston Animal By-Laws be received and noted.
2. THAT Council authorises the implementation of the Palmerston Animal Management By-Laws as at **Attachment 13.1.3.1** to commence on 1 July 2024.
3. THAT Council, pursuant to Section 40 (1) of the *Local Government Act 2019* hereby delegates to the Chief Executive Officer the power to sign the Palmerston Animal Management By-Laws 2024 being **Attachment 13.1.3.1** as required by *Local Government Act 2019*, the *Interpretation Act 1978* and any other required legislation and undertake necessary actions for its implementation on 1 July 2024.
4. THAT the Council write to the Northern Territory Legislative Assembly Chief Minister providing a copy of the signed City of Palmerston (Animal Management) By-Laws 2024 for the purpose of Gazettal.

BACKGROUND

City of Palmerston initiated a review of its existing Animal Management By-Laws, leading to the drafting of the City of Palmerston (Animal Management) By-Laws 2024. This process involved extensive consultation, legal analysis, and revisions to develop contemporary subordinate legislation that meets the needs of the community. Findings from the consultation, coupled with legal advice, actions taken, and the Council's vision for modern legislation, served as the guiding principles for drafting instructions provided to the Office of the Parliamentary Counsel. Following revisions incorporating input from consultation, the Office of Parliamentary Counsel, and insights from Local Court prosecutions and legal consultation, and obtaining a Certificate of Agency, the By-Laws are now ready for final adoption of Council.

At the 2nd Ordinary Council Meeting of March 2024, Council endorsed the amended draft City of Palmerston (Animal Management) By-laws and for them to be resubmitted to the Office of Parliamentary Counsel for final consideration and implementation as of 1 July 2024.

13.1.1 Animal Management By-Laws Consultation – Outcomes and Amendments

Moved: Councillor Henderson

Seconded: Councillor Garden

1. THAT Report entitled *Animal Management By-Laws Consultation – Outcomes and Amendments* be received and noted.
 - a. That Council write to the Office of Parliamentary Counsel submitting the amended draft City of Palmerston (Animal Management) By-laws, informed by community consultation, being Attachment 13.1.1.5, for finalisation and settlement of the draft prior to final endorsement by the Council for gazettal by the relevant Minister and implementation as of the 1 July 2024.
2. That Council thank the community for their feedback on the draft Palmerston (Animal Management) By-laws.

CARRIED 10/1250 – 19/03/2024

This report provides the final copy of the Palmerston (Animal Management By-Laws 2024 for endorsement and gazettal.

DISCUSSION

The finalisation and settlement of the draft By-Laws has now been completed in accordance with required process.

On 15 April 2024, City of Palmerston obtained the Certificate of Agency **Attachment 13.1.3.2** from the CEO, Andrew Kirkman of the Department of Chief Minister and Cabinet, which in accordance with section 278(1)(d) of the *Local Government Act*, confirmed the City of Palmerston (Animal Management) By-Laws 2024 are consistent with the principles in Part 13.1 of the Act.

The Palmerston (Animal Management) By-Laws are now ready for Council to adopt for gazettal and implementation on the 1 July 2024.

CONSULTATION AND MARKETING

There was no consultation or marketing required during the preparation of this Report.

POLICY IMPLICATIONS

Based on the drafting of the By-Laws, Council is required to provide a number of formal directions by resolution, which will be undertaken through public policy, for implementation as of the 1 July 2024.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this Report.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This Report addresses the following City of Palmerston Strategic Risks:

1. **Community Safety**
Failure of Council to effectively plan and deliver its role in community safety.
6. **Governance**
Failure to effectively govern.

There is a risk that failure to adopt new modern and contemporary By-Laws as proposed, that Council will not be able to adequately undertake Animal Management By-Laws to community expectations and the law resulting in damage to Council reputation. The risk is mitigated by the adoption of these draft contemporised By-Laws which have been designed to mitigate current challenges and risk faced with the current 1999 Animal Management By-Laws.

It is important to recognise that no law can be deemed flawless, and supporting policies will require ongoing, regular assessment and adjustments as issues arise and community standards evolve. To mitigate issues and risks, City of Palmerston has been working closely with its legal advisors and Parliamentary Counsel to adequately draft and update the Animal Management By-Laws.

STRATEGIES, FRAMEWORK AND PLANS IMPLICATIONS

This report is related to The Companion Animal Management Plan due the impact on companion animal ownership.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

1. Regl 018 R 17 F (050424) [13.1.3.1 - 36 pages]
2. Certification of the City of Palmerston (Animal Management) By- Laws 2024 [13.1.3.2 - 1 page]

NORTHERN TERRITORY OF AUSTRALIA

CITY OF PALMERSTON (ANIMAL MANAGEMENT) BY-LAWS 2024

Subordinate Legislation No. [] of 2024

Table of provisions

Part 1 Preliminary matters

1	Title.....	2
2	Commencement	2
3	Definitions.....	2
4	Meaning of <i>owner</i>	4
5	Application within Palmerston.....	4
6	Application of Criminal Code	4

Part 2 Animal management

Division 1 Responsible ownership of dogs and cats

7	Registration required	5
8	Offence of unregistered dog or cat	5
9	Identification devices	6
10	Offences related to identification devices	6
11	Offence for contravention of condition of registration	7
12	Notice of change in address or owner	7
13	Proper containment of dogs and cats	8
14	Keeping dogs and cats under effective control.....	8
15	Abandoning dog or cat	9
16	Maximum number of dogs and cats.....	9
17	Dog exercise areas.....	10
18	Dog and cat restricted areas.....	11
19	Offences related to dog or cat areas	12

Division 2 Menacing, attacking and dangerous dogs

20	Dog menaces	12
21	Dog attacks.....	12
22	Serious dog attack.....	13
23	Defences and orders	13
24	Enticement or incitement	14
25	Dangerous dog	14

26	Revocation of declaration of dangerous dog	15
27	Duties of owner of dangerous dog	15
28	Notice about loss or transfer of dangerous dog	16
29	Offences related to dangerous dog	17
30	Remedial action for dangerous dog	17

Division 3 Seizure and impounding of dogs and cats

31	Seizure and impounding	18
32	Notice of impounding	18
33	Release from pound	19
34	Destruction of dog or cat.....	20
35	Destruction or disposal of impounded dogs and cats	20
36	Humane method	21
37	Costs of destruction	21

Division 4 Management of other animals

38	Management of poultry and domestic livestock	21
39	Animal causing nuisance	22
40	Removal or disposal of animal remains	23

Part 3 Administrative matters

Division 1 Authorisations

41	Issuing authorisations	23
42	Application for authorisation	23
43	Revoking or varying on request	24
44	Revoking, suspending or varying for cause	24

Division 2 Information and records

45	Records	25
46	Written notices	25
47	Publishing information	25

Division 3 Fees

48	Determining fees	26
49	Other matters related to fees	26

Part 4 Infringement notice offences

50	Infringement notice offence and infringement amount payable	26
51	When infringement notice may be given	26
52	Contents of infringement notice	27
53	Electronic payment and payment by cheque	27
54	Expiation of offence	28

55	Withdrawal of infringement notice.....	28
56	Application of Part	28

Part 5 Repeal and transitional matters

Division 1 Repeals

57	Repeal of By-laws.....	29
----	------------------------	----

**Division 2 Transitional matters for City of Palmerston
(Animal Management) By-laws 2024**

58	Definitions.....	29
59	Former determinations	29
60	Licences and registrations under former By-laws	29
61	Dog exercise areas and dog restriction areas	29
62	Offence provisions.....	30

Schedule 1 Repealed By-laws

**Schedule 2 Infringement notice offences and
infringement amounts**

NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. [] of 2024*

City of Palmerston (Animal Management) By-laws 2024

City of Palmerston, at a meeting held on _____ 2024, made the following by-laws under the *Local Government Act 2019* and, for section 63A(1)(a)(ii) of the *Interpretation Act 1978*, authorised Luccio Franco Cercarelli, the Chief Executive Officer, to sign them.

Dated _____ 2024

Chief Executive Officer

* Notified in the *Northern Territory Government Gazette* on [] 2024.

Part 1 Preliminary matters

1 Title

These By-laws may be cited as the *City of Palmerston (Animal Management) By-laws 2024*.

2 Commencement

These By-laws commence on 1 July 2024.

3 Definitions

In these By-laws:

approved means approved by the City by resolution.

assistance animal, see section 4A of the *Anti-Discrimination Act 1992*.

at large, in relation to a dog or cat, means the dog or cat is:

- (a) outside the premises where it is usually kept; and
- (b) not under effective control.

attack, in relation to a dog, means any behaviour of the dog specified in by-law 21(1) or 22(1).

authorisation means a form of written or electronic authority issued by the CEO that is required under these By-laws to do something, to have something or to engage in other conduct.

Examples for definition authorisation

- 1 A licence to keep animals at premises.
- 2 A dog or cat registration.

City means the local government council constituted for the municipality of Palmerston.

Note for definition City

The Minister for Local Government changed the name of the council for the City of Palmerston local government area to the "City of Palmerston" by notice in Gazette G50 of 12 December 2012.

dangerous dog means a dog declared to be dangerous under by-law 25.

dog exercise area means an area declared by the City under by-law 17 to be a dog exercise area.

domestic livestock means any of the following that is kept for a non-commercial purpose:

- (a) a horse or other equine animal;
- (b) an ox, buffalo or other bovine animal;
- (c) an alpaca;
- (d) a camel;
- (e) a goat;
- (f) a llama
- (g) a pig;
- (h) a sheep.

effective control, in relation to a dog or cat, see by-law 14(2) and (3).

infringement amount, for Part 4, see by-law 50(2).

infringement notice, for Part 4, see by-law 51.

infringement notice offence, for Part 4, see by-law 50(1).

menace, see by-law 20(2).

nuisance, see by-law 39(2).

owner, see by-law 4.

Palmerston means the City of Palmerston local government area.

pound means a place established by the City to impound animals.

premises include the following:

- (a) a building or other structure;
- (b) a part of a building or other structure;
- (c) land where a building or other structure is situated.

properly contained, see by-law 13(2).

vehicle means any conveyance that runs on wheels.

Examples for definition vehicle

Cars, trucks, trailers, motorcycles, bicycles, scooters, skateboards and inline skates.

Note for by-law 3

The Act also defines terms that are used in these By-laws.

4 Meaning of owner

- (1) In relation to an animal, **owner** means any of the following:
- (a) for a registered dog or cat – the person who is registered as the owner of the dog or cat;
 - (b) the person for the time being in control or possession of the animal;
 - (c) the occupier of the premises, or a part of the premises, where the animal is kept.

Examples for definition owner

A person walking a dog or looking after a dog for a friend who is on holidays.

- (2) If an owner under clause (1) is a person under 18 years of age, the owner is taken to be any parent or guardian of that person.

5 Application within Palmerston

These By-laws apply to and have effect within Palmerston.

Note for by-law 5

Under section 275(4) of the Act, a by-law binds the Territory and all its instrumentalities.

6 Application of Criminal Code

Part IIAA of the Criminal Code applies to an offence against these By-laws.

Note for by-law 6

Part IIAA of the Criminal Code states the general principles of criminal responsibility, establishes general defences, and deals with burden of proof. It also defines, or elaborates on, certain concepts commonly used in the creation of offences.

Part 2 Animal management

Division 1 Responsible ownership of dogs and cats

7 Registration required

- (1) The owner of a dog or cat that is kept in Palmerston must register it with the City.
- (2) The City must, by resolution, determine the following:
 - (a) the process for registering dogs and cats;
 - (b) any grounds for refusing to register a dog or cat;
 - (c) any conditions of registration;
 - (d) the date of expiry of a registration.

Examples for clause (2)(b)

Unsuitable premises or excessive number of dogs or cats.

Note for by-law 7

Part 3, Division 1 contains provisions about the grant of authorisations, including registrations, under these By-laws.

8 Offence of unregistered dog or cat

- (1) A person commits an offence if the person keeps an unregistered dog or cat in Palmerston for a period of 3 months or longer.

Maximum penalty: 20 penalty units.

Note for clause (1)

The infringement amount is 1 penalty unit.

- (2) The following persons are exempt from clause (1):
 - (a) a City employee or contractor who keeps a dog or cat in a pound;
 - (b) a person or entity that provides animal protection or welfare services;
 - (c) a veterinarian who keeps a dog or cat for treatment.
- (3) An offence against clause (1) is an offence of strict liability.

9 Identification devices

- (1) A registered dog or cat must:
 - (a) wear an identification tag when outside the premises where the dog or cat is kept; and
 - (b) be implanted with a microchip.
- (2) An identification tag must meet the specifications determined, by resolution, by the City.
- (3) An implanted microchip must:
 - (a) meet the specifications determined, by resolution, by the City; and
 - (b) be designed to store information in a way that can be retrieved electronically without physical contact.
- (4) The CEO may exempt a dog or cat from the requirement in clause (1)(b) if the CEO is satisfied that implanting a microchip in the dog or cat will:
 - (a) result in an undue risk to the health of the dog or cat; or
 - (b) adversely affect the growth, development or wellbeing of the dog or cat.
- (5) The owner of a registered dog or cat must ensure that it:
 - (a) wears a tag that meets the specifications determined under clause (2) when outside the premises where it is kept; and
 - (b) is implanted with a microchip.

10 Offences related to identification devices

- (1) The owner of a registered dog or cat must not:
 - (a) allow it to be outside the premises where it is kept without wearing an identification tag that meets the specifications determined under by-law 9(2); or
 - (b) remove from it any microchip implanted under by-law 9.

Maximum penalty: 20 penalty units.

Note for clause (1)

The infringement amount is 1 penalty unit.

- (2) An offence against clause (1) is an offence of strict liability.

11 Offence for contravention of condition of registration

- (1) The owner of a registered dog or cat must comply with any conditions on the registration determined by the City.
- (2) A person commits an offence if:
- (a) the person is the owner of a registered dog or cat; and
 - (b) the registration of the dog or cat is subject to a condition; and
 - (c) the owner fails to comply with the condition.

Maximum penalty: 20 penalty units.

Note for clause (2)

The infringement amount is 1 penalty unit.

- (3) An offence against clause (2) is an offence of strict liability.

12 Notice of change in address or owner

- (1) The owner of a registered dog or cat must notify the City of the following events:
- (a) a change in the owner's address;
 - (b) a transfer of the dog or cat to a new owner.
- (2) The notice must be given in the approved form within 14 days after the day the event occurred and include the following:
- (a) the particulars of the animal;
 - (b) the contact details of the owner;
 - (c) in the case of a transfer of the dog or cat to a new owner – the contact details of both the new and former owners.

- (3) A person commits an offence if:
- (a) the person is the owner of a registered dog or cat; and
 - (b) the person fails to comply with clause (1) or (2).

Maximum penalty: 10 penalty units.

Note for clause (3)

The infringement amount is 1 penalty unit.

- (4) An offence against clause (3) is an offence of strict liability.

13 Proper containment of dogs and cats

- (1) The owner of a dog or cat must properly contain the dog or cat when it is on the premises where it is usually kept.
- (2) For these By-laws, a dog or cat is taken to be **properly contained** on premises if the dog or cat is kept inside a building, enclosed run or other structure on the premises from which the animal is unable to escape.

Note for clause (2)

Under section 22 of the Animal Protection Act 2018, a person in control of an animal must provide a minimum level of care to the animal.

- (3) A person commits an offence if:
- (a) the person is the owner of a dog or cat; and
 - (b) the dog or cat is not properly contained when it is on the premises where it is kept.

Maximum penalty: 20 penalty units.

Note for clause (3)

The infringement amount is 2 penalty units.

- (4) An offence against clause (3) is an offence of strict liability.
- (5) To avoid doubt, the following matters are not relevant to an offence against clause (3):
- (a) the time during which the dog or cat was not properly contained;
 - (b) the ability of the owner to properly contain the dog or cat.

14 Keeping dogs and cats under effective control

- (1) The owner of a dog or cat must ensure that the dog or cat is under effective control when outside the premises where the animal is kept.
- (2) For these By-laws, a dog or cat is taken to be under **effective control** if the dog or cat is:
- (a) restrained by a leash or similar device that is suitable to restrain the dog or cat and is held by a person who is over the age of 12 years and competent to restrain the dog or cat; or

- (b) safely enclosed in a vehicle, or in or on the back of a flat-topped, tray-backed or well-bodied vehicle, in such a manner that no part of the dog or cat is projecting from the vehicle; or
 - (c) otherwise leashed or restrained and unable to run free.
- (3) For these By-laws, a dog in a dog exercise area is also taken to be under **effective control** if:
- (a) the dog is complying with the conditions specified for the area; and
 - (b) the dog is immediately responsive to a voice command of its owner; and
 - (c) the dog is not a female dog in oestrus; and
 - (d) the owner is carrying a leash or similar device in accordance with clause (2)(a).
- (4) A person commits an offence if:
- (a) the person is the owner of a dog or cat; and
 - (b) the dog or cat is not under effective control when outside the premises where the animal is kept.

Maximum penalty: 20 penalty units.

Note for clause (4)

The infringement amount is 1 penalty unit.

- (5) An offence against clause (4) is an offence of strict liability.

15 Abandoning dog or cat

A person commits an offence if the person intentionally abandons a dog or cat in Palmerston.

Maximum penalty: 20 penalty units.

16 Maximum number of dogs and cats

- (1) The City may, by resolution, establish a limit or condition on the maximum number of dogs or cats that may be kept on premises in Palmerston.

Examples for clause (1)

The maximum number of dogs and cats allowed on premises or limits or conditions on the breeding of dogs and cats and the suitability of those premises and the impact on neighbours.

- (2) The City must publish the limit or condition.
- (3) A person must not, without an authorisation, keep dogs or cats on premises contrary to any limit or condition established by the City on the maximum number of dogs or cats that may be kept on premises in Palmerston.
- (4) An occupier of premises commits an offence if:
 - (a) the City, by resolution, establishes a limit or condition on the maximum number of dogs or cats that may be kept on the premises; and
 - (b) the occupier keeps dogs or cats on the premises contrary to the limit or condition; and
 - (b) the occupier does not have an authorisation allowing that conduct.

Maximum penalty: 20 penalty units.

Note for clause (4)

The infringement amount is 1 penalty unit.

- (5) An offence against clause (4) is an offence of strict liability.
- (6) A person who contravenes clause (3) is not entitled to apply for, or to be granted, a licence referred to in that clause for a period of 12 months from the day of the last contravention.

17 Dog exercise areas

- (1) The City may, by resolution, declare an area to be a dog exercise area.
- (2) If the City intends to declare an area to be a dog exercise area, the City must:
 - (a) publish notice of the proposed area at least 28 days in advance; and
 - (b) consider any responses to the notice from residents of Palmerston.
- (3) The City must publish the location and conditions for using any dog exercise area or class of dog exercise area it declares.

Examples for clause (3)

1 *The times to exercise dogs in the area.*

2 *When female dogs in oestrus are allowed in the area.*

- (4) The owner of a dog using a dog exercise area must comply with the conditions for the area.
- (5) The owner of a dangerous dog must ensure the dog does not enter a dog exercise area.
- (6) A person commits an offence if:
 - (a) the person is the owner of a dog; and
 - (b) the dog is a dangerous dog; and
 - (c) the dog enters a dog exercise area.

Maximum penalty: 20 penalty units.

Note for clause (6)

The infringement amount is 1 penalty unit.

- (7) An offence against clause (6) is an offence of strict liability.

18 Dog and cat restricted areas

- (1) The City may declare an area to be a dog or cat restricted area.
- (2) If the City intends to declare an area to be a dog or cat restricted area, the City must:
 - (a) publish notice of the proposed area at least 28 days in advance; and
 - (b) consider any responses to the notice from residents of Palmerston.
- (3) The City must publish the location and restrictions on dogs and cats in any dog or cat restricted area it declares.
- (4) An assistance animal is exempt from this by-law.
- (5) The owner of a dog or cat must comply with the conditions for the dog or cat restricted area.
- (6) The City may, by resolution, exempt a person, a class of persons or all persons from one or more conditions or restrictions in a declaration made under clause (1) for a maximum period of 14 days.
- (7) The City must publish an exemption under clause (6).

19 Offences related to dog or cat areas

- (1) A person commits an offence if the person:
- (a) owns a dog or cat; and
 - (b) fails to comply with the conditions for a dog exercise area or a dog or cat restricted area; and
 - (c) if the condition relates to a dog or cat restricted area – does not have an exemption from the condition under clause 18(6).

Maximum penalty: 20 penalty units.

Note for clause (1)

The infringement amount is 1 penalty unit.

- (2) An offence against clause (1) is an offence of strict liability.

Division 2 Menacing, attacking and dangerous dogs

20 Dog menaces

- (1) An owner of a dog must ensure that it does not menace a person or another animal.
- (2) For these By-laws, a dog is taken to **menace** a person or other animal if it chases, harasses, rushes at or threatens to bite the person or animal in a manner that causes a reasonable apprehension of fear in the person or animal.
- (3) The owner of a dog commits an offence if the owner fails to comply with clause (1).

Maximum penalty: 20 penalty units.

Note for clause (3)

The infringement amount is 3 penalty units.

- (4) An offence against clause (3) is an offence of strict liability.

21 Dog attacks

- (1) The owner of a dog must ensure that it does not rush at, bite, chase or menace a person or other animal resulting in:
- (a) physical contact with the person or other animal; or

- (b) damage to:
 - (i) anything worn by the person or animal; or
 - (ii) other property in the immediate possession or under the immediate control of the person.

- (2) The owner of a dog commits an offence if the owner fails to comply with clause (1).

Maximum penalty: 60 penalty units.

Note for clause (2)

The infringement amount is 5 penalty units.

- (3) An offence against clause (2) is an offence of strict liability.

22 Serious dog attack

- (1) The owner of a dog must ensure that it does not:
 - (a) bite a person or another animal causing a puncture or break to the skin; or
 - (b) assault a person or another animal resulting in bleeding, bone breakage, sprains, scratches or bruising.

- (2) The owner of a dog commits an offence if the owner fails to comply with clause (1).

Maximum penalty: 80 penalty units or, for an aggravated offence, 100 penalty units.

Note for clause (2)

The infringement amount is 7 penalty units or, for an aggravated offence, 9 penalty units.

- (3) An offence against clause (2) is an offence of strict liability.
- (4) An offence against clause (2) is an aggravated offence if the bite or assault causes or results in substantial injury to, or death of, the person or the other animal.

23 Defences and orders

- (1) It is a defence to a prosecution for an offence against by-law 20, 21 or 22 if:
 - (a) another person had, without the defendant's permission, caused the dog to menace or attack the person or another animal; or

- (b) in the case of another animal being menaced or attacked – the other animal was on premises owned or occupied by the defendant without consent; or
- (c) in the case of a person being menaced or attacked – the person was unlawfully on premises owned or occupied by the defendant.

Note for clause (1)

The defendant has an evidential burden in relation to this defence (see section 43BU of the Criminal Code).

- (2) If a court finds a person guilty of an offence against by-law 20, 21 or 22, the court may make one or both of the following orders in addition to, or instead of, the penalty for the offence:
 - (a) if the dog is impounded as a result of the offence – an order that the person pay the costs and expenses of, and incidental to, the impounding;
 - (b) an order that the dog be destroyed.

24 Enticement or incitement

A person commits an offence if:

- (a) the person intentionally engages in conduct; and
- (b) the conduct results in the owner of a dog being liable to prosecution for an offence against by-law 20, 21 or 22; and
- (c) the person is reckless in relation to that result.

Maximum penalty: 20 penalty units.

Note for by-law 24

The infringement amount is 1 penalty unit.

25 Dangerous dog

- (1) An authorised person may, by written notice, declare a dog to be a dangerous dog if:
 - (a) the dog menaces or attacks a person or an animal; or
 - (b) the authorised person believes on reasonable grounds that the dog is destructive, dangerous, savage or a threat to the safety of the community.
- (2) The authorised person must give written notice of the declaration to the owner of the dog.

- (3) The written notice of the declaration must be in the approved form and include the following information:
 - (a) the day the declaration takes effect;
 - (b) the reasons for the declaration;
 - (c) the identity of the dog and the owner of the dog.
- (4) The City must keep a record of the information in clause (3).

26 Revocation of declaration of dangerous dog

- (1) The owner of a dangerous dog may, in writing to the CEO, request that the declaration of the dog as a dangerous dog be revoked.
- (2) The CEO may:
 - (a) revoke the declaration; or
 - (b) refuse to revoke the declaration.
- (3) The CEO must give the applicant written notice of the decision under clause (2).
- (4) A revocation under clause (2)(a) takes effect on the day the CEO notifies the applicant of the revocation.
- (5) If the CEO refuses an application under clause (2)(b), the CEO is not required to consider a further application made under clause (1) in relation to the same dog within six months of the refusal.

27 Duties of owner of dangerous dog

- (1) This by-law applies to the owner of a dog that is declared to be a dangerous dog.
- (2) The owner must, within 14 days after the day the declaration takes effect:
 - (a) desex the dangerous dog, unless it is already desexed, at the owner's expense; and
 - (b) provide to an authorised person evidence from a veterinarian that the dog is desexed; and
 - (c) undergo behavioural or other training with the dog, as specified by the CEO, at the owner's expense.

- (3) The owner must ensure that the containment required under by-law 13(1) is appropriate to the danger posed by the dangerous dog.

Example for clause (3)

Installing higher and stronger fencing for a large dangerous dog.

- (4) The owner must post signage on the premises where the dangerous dog is kept, with the words "Warning Dangerous Dog" clearly visible and legible from the front boundary of the premises.
- (5) When the dangerous dog is outside the premises where it is kept, the owner must ensure that:
- (a) the dog is kept under the effective control of a person who is at least 18 years of age and competent to restrain the dog; and
 - (b) the dog is muzzled and controlled by a leash that is suitable to restrain the dog; and
 - (c) the dog does not enter a dog exercise area.
- (6) If the owner intends to keep the dangerous dog for more than 14 days at a place other than the premises where it is usually kept, the owner must notify the City of the address of the place within 24 hours after the dog is relocated.
- (7) The owner must notify the City of any attack, or alleged attack, by the dangerous dog of a person or animal within 24 hours of the earlier of the following:
- (a) the time of the attack or alleged attack;
 - (b) the time the owner becomes aware of the attack or alleged attack.

28 Notice about loss or transfer of dangerous dog

- (1) The owner of a dangerous dog must notify the City if the dog is missing or dies.
- (2) The notice must be given:
- (a) within 24 hours after the owner becomes aware the dog is missing; or
 - (b) within 14 days after the day of its death.

- (3) If the owner of a dangerous dog intends to transfer ownership of the dangerous dog, the owner must inform the prospective owner that the dog is dangerous.
- (4) In the case of the transfer of a dangerous dog, the notice to the City under by-law 12 must be given within 24 hours after the transfer.

29 Offences related to dangerous dog

- (1) A person commits an offence if the person:
 - (a) is the owner of a dog that is declared to be a dangerous dog; and
 - (b) fails to comply with by-law 27 or 28.

Maximum penalty: 100 penalty units.

Note for clause (1)

The infringement amount is 9 penalty units.

- (2) An offence against clause (1) is an offence of strict liability.

30 Remedial action for dangerous dog

- (1) If the owner of a dangerous dog fails to comply with the duties of an owner under by-law 27 more than once in a 12-month period, the CEO may require the owner to take either or both of the following actions:
 - (a) undergo further specified behavioural or other training with the dog at the owner's expense;
 - (b) surrender the dog to the pound.
- (2) If the CEO intends to take action under clause (1), the CEO must give the owner of the dangerous dog a notice that:
 - (a) states what action the CEO is proposing under that clause; and
 - (b) states the grounds for taking that action; and
 - (c) invites the owner to show cause, within 14 days, why the action should not be taken.
- (3) After considering any response received within 14 days after the day of the notice, the CEO must decide whether to take action under clause (1).

- (4) As soon as practicable after making a decision under clause (3), the CEO must give written notice of the decision to the owner of the dangerous dog.

Division 3 Seizure and impounding of dogs and cats

31 Seizure and impounding

- (1) An authorised person may seize:
- (a) a dog or cat that appears to be diseased, injured, savage, destructive, stray or unregistered; or
 - (b) a dog or cat that is at large; or
 - (c) a dangerous dog whose owner is not complying with Division 2; or
 - (d) a dog that an authorised person believes on reasonable grounds has attacked a person.
- (2) As soon as practicable after seizing a dog or cat, the authorised person must:
- (a) impound the dog or cat in a pound; or
 - (b) take reasonable steps to return the dog or cat to its owner if satisfied that it is not diseased, injured, savage or destructive.

32 Notice of impounding

- (1) The CEO must ensure that reasonable steps are taken to notify the owner of a dog or cat that it is impounded and whether:
- (a) the owner must collect it; or
 - (b) the owner must await a decision regarding destruction or disposal under by-laws 34 and 35; or
 - (c) the dog or cat is subject to destruction or disposal under by-laws 34 and 35.
- (2) The owner of an impounded dog or cat who receives notice under clause (1)(a) must collect the dog or cat within the time specified in the notice.
- (3) A person commits an offence if the person:
- (a) owns a dog or cat; and

- (b) receives a notice under clause (1)(a) that the owner must collect it; and
- (c) fails to collect the dog or cat within the time specified in the notice.

Maximum penalty: 20 penalty units.

Note for clause (3)

The infringement amount is 2 penalty units.

- (4) An offence against subsection (3) is an offence of strict liability.

33 Release from pound

- (1) When collecting a dog or cat from a pound, a person must provide evidence that the person is the owner of the dog or cat or is authorised to act on behalf of the owner.
- (2) The City may charge the owner a fee for:
 - (a) the costs incurred by the City in relation to the impounded dog or cat; and
 - (b) delivering the dog or cat from the pound.
- (3) Subject to by-laws 34 and 35, an impounded dog or cat must not be released from a pound unless:
 - (a) it is registered and implanted with a microchip in accordance with by-law 9; and
 - (b) it is released to its owner or to a person authorised to act on behalf of the owner; and
 - (c) the City receives any fees payable in relation to it.

Note for clause (3)

Under by-law 9(4), the CEO may exempt a dog or cat from the requirement to be implanted with a microchip.

- (4) Clause (3)(a) does not apply in relation to an impounded dog or cat if:
 - (a) the dog or cat is usually kept outside the City; or
 - (b) the dog or cat is under 3 months of age.
- (5) For clause (4)(b), the owner of the dog or cat must provide evidence that the dog or cat is under 3 months of age.

34 Destruction of dog or cat

- (1) The CEO may arrange for a dog or cat to be destroyed if:
 - (a) the dog or cat is in the pound or is abandoned or is found on a public place; and
 - (b) the dog or cat is diseased, injured, savage, destructive, unclaimed, unregistered or unwanted; and
 - (c) it is humane to destroy the dog or cat in the circumstances.
- (2) The CEO may presume that a dog that attacks a person or animal is savage or destructive.

35 Destruction or disposal of impounded dogs and cats

- (1) Subject to this by-law, the CEO may, after a dog or cat is impounded for 4 business days:
 - (a) transfer the dog or cat to an entity that provides animal rehoming services; or
 - (b) arrange for its destruction.
- (2) The CEO may make arrangements for the transfer of dogs and cats from a pound to a person or entity that provides animal rehoming services.

Example for clause (2)

Arrangements could be made with the RSPCA and other organisations that provide care for unwanted and stray animals.

- (3) The CEO must not destroy or dispose of an impounded dog or cat because it is savage, destructive, unclaimed, unregistered or unwanted until after the later of the following:
 - (a) if circumstances related to the destruction are being investigated – the end of that investigation;
 - (b) if the destruction is subject to legal proceedings – 14 days after the end of those legal proceedings.
- (4) If an offence is being investigated in relation to an impounded dog or cat, it must not be destroyed or disposed of until the investigation is complete.

Example for clause (4)

If a dog is alleged to have attacked a person, the dog would not be destroyed unless the investigation is complete.

36 Humane method

Any destruction of a dog or cat under these By-laws must be done:

- (a) in a manner approved by the Australian Veterinary Association; and
- (b) by a veterinarian or another person who is, in the opinion of the CEO, qualified to destroy it.

37 Costs of destruction

The costs incurred by the City to destroy a dog or cat under by-law 34 or 35 is a debt payable by the owner of the dog or cat to the City.

Division 4 Management of other animals

38 Management of poultry and domestic livestock

- (1) The City may, by resolution, establish a limit or condition on the maximum number of poultry or domestic livestock that may be kept on premises in Palmerston.
- (2) The City must publish the limit or condition.
- (3) A person must not, without an authorisation, keep poultry or domestic livestock on premises contrary to any limit or condition established by the City on the maximum number of poultry or domestic livestock that may be kept on premises in Palmerston.
- (4) An occupier of premises commits an offence if:
 - (a) the City, by resolution, establishes a limit or condition on the maximum number of poultry or domestic livestock that may be kept on the premises; and
 - (b) the occupier keeps poultry or domestic livestock on the premises contrary to the limit or condition; and
 - (b) the occupier does not have an authorisation allowing that conduct.

Maximum penalty: 20 penalty units.

Note for clause (4)

The infringement amount is 1 penalty unit.

- (5) An offence against clause (4) is an offence of strict liability.

- (6) A person who contravenes clause (3) is not entitled to apply for, or to be granted, an authorisation referred to in that clause for a period of 12 months from the day of the last contravention.

39 Animal causing nuisance

- (1) The owner of a dog, cat, poultry or domestic livestock must ensure that the dog, cat, poultry or domestic livestock is not a nuisance to people or other animals.
- (2) An animal mentioned in clause (1) is taken to be a **nuisance** if it:
- (a) is injurious or dangerous to the health of the community or another person; or
 - (b) behaves repeatedly in a manner contrary to the general interest of the community or specific interests of another person; or
 - (c) creates a noise or an odour to a degree or extent that disturbs the reasonable mental, physical or social well-being of a person other than its owner; or
 - (d) defecates to a degree or extent that causes annoyance to a person other than its owner.

Examples for clause (2)(c)

- 1 *Constant or loud barking, caterwauling, crowing or squawking, especially when pedestrians walk past the premises.*
- 2 *Noxious smelling coops or cages used for keeping poultry.*

- (3) The owner of an animal that defecates in public must immediately remove the faeces and dispose of them in a sanitary manner.
- (4) The owner of an animal must ensure it does not aggressively chase a vehicle.
- (5) The owner of an animal must not allow the animal to come within 10 m of a public play structure or public exercise structure unless the animal is under effective control.
- (6) A person commits an offence if the person fails to comply with clause (1), (3), (4) or (5).

Maximum penalty: 20 penalty units.

Note for clause (6)

The infringement amount is 3 penalty units.

- (7) An offence against clause (6) is an offence of strict liability.

40 Removal or disposal of animal remains

- (1) The City may arrange for the remains of a dead animal that is found on a public place to be removed or disposed of.
- (2) If the City incurs expense in removing or disposing of a dead animal, the City may recover the expense from the owner of the animal as a debt due and payable to the City.

Part 3 Administrative matters

Division 1 Authorisations

41 Issuing authorisations

- (1) The CEO may issue, or refuse to issue, an authorisation.
- (2) An authorisation remains in force for:
 - (a) the period of time, if any, specified in the authorisation; or
 - (b) if no period is specified in the authorisation – the period of 12 months on and after the day of its issue.
- (3) An authorisation is subject to the conditions specified by the CEO.

Example for clause (3)
The fence around a property must be of a particular height.
- (4) An authorisation is not transferable, unless these By-laws expressly provide otherwise.

42 Application for authorisation

- (1) Applications for the issue of authorisations must be made to the CEO.
- (2) The application must be in the approved form and accompanied by:
 - (a) the applicable fee, if any; and
 - (b) any documents, specifications or particulars that the CEO may require.

43 Revoking or varying on request

- (1) The CEO may, on the written request of the holder of an authorisation:
 - (a) revoke the authorisation; or
 - (b) vary the conditions of the authorisation.
- (2) The CEO must give the holder written notice of the revocation or variation.

44 Revoking, suspending or varying for cause

- (1) The CEO may, in accordance with this by-law, revoke, suspend or vary the conditions of an authorisation if the holder of the authorisation:
 - (a) obtained the authorisation improperly; or
 - (b) failed to comply with these By-laws or a condition of the authorisation.
- (2) Before making a decision under clause (1), the CEO must give the holder written notice:
 - (a) stating that the CEO proposes to revoke, suspend or vary the authorisation; and
 - (b) stating the grounds for the intended revocation, suspension or variation; and
 - (c) inviting the holder to show cause, in accordance with clause (3), why the revocation, suspension or variation should not be made.
- (3) Within 7 days of receiving the notice, the holder of the authorisation may make written representations to the CEO on why the revocation, suspension or variation should not be made.
- (4) After considering any representations made by the holder in accordance with clause (3), the CEO may:
 - (a) take no further action in relation to the authorisation; or
 - (b) revoke, suspend or vary the authorisation.
- (5) As soon as practicable after making a decision under clause (4), the CEO must give written notice of the decision to the holder of the authorisation.

- (6) If the CEO decides to revoke, suspend or vary the conditions of an authorisation, the notice to the holder must include the following information:
- (a) the date that the revocation, suspension or variation takes effect;
 - (b) in the case of a suspension:
 - (i) the steps that the holder must take before the suspension will be lifted and the consequences for not completing those steps; and
 - (ii) the period of time that the suspension will remain in force;
 - (c) in the case of a variation – how the conditions are being varied.

Division 2 Information and records

45 Records

- (1) The CEO must keep records of the following:
- (a) all dogs and cats registered under these By-laws;
 - (b) all other authorisations issued under these By-laws;
 - (c) any other matter required by these By-laws or by the City.
- (2) The records may be kept in any form, including electronic form.

Note for by-law 45

The City has obligations as a public sector organisation under the Information Act 2002.

46 Written notices

A written notice required under these By-laws may be in electronic form.

Example for by-law 46

An email sent to the registered owner of a dog or cat.

47 Publishing information

Any notice, document or other information that must be published under these By-laws must be published in a timely manner on the City's website.

Note for by-law 47

The Act provides for the publication of certain determinations, notices and minutes of meetings of the City and the protection of confidential information. Under section 7 of the Act, publishing includes publishing or broadcasting by radio, television, internet, telephone or other means.

Division 3 Fees

48 Determining fees

- (1) The City must, by resolution, determine the fees payable under these By-laws.
- (2) To avoid doubt, the amount of a fee may vary according to circumstances and conditions relevant to the fee.

Examples for clause (2)

- 1 Lower registration fee for a sterilised dog or cat.
- 2 Higher registration fee for a dangerous dog.

49 Other matters related to fees

- (1) Notice of the determination of a fee must be published as soon as practicable.
- (2) The City must not demand or receive any fee determined under by-law 48 unless notice of the fee was published.
- (3) Any fee that is not paid when it is due may be recovered as a debt due to the City.

Part 4 Infringement notice offences

50 Infringement notice offence and infringement amount payable

- (1) An ***infringement notice offence*** is an offence against a provision specified in Schedule 2.
- (2) The ***infringement amount*** for an infringement notice offence is the amount equal to the monetary value of the number of penalty units specified for the offence in Schedule 2.

51 When infringement notice may be given

If an authorised person believes on reasonable grounds that a person has committed an infringement notice offence, the authorised person may give a notice (an ***infringement notice***) to the person.

52 Contents of infringement notice

- (1) The infringement notice must specify the following:
 - (a) the name and address of the person to whom it is issued, if known;
 - (b) the date the infringement notice is given to the person;
 - (c) the date and time of the infringement notice offence and the place at which the infringement notice offence occurred;
 - (d) a description of the offence;
 - (e) the infringement amount payable for the offence;
 - (f) the enforcement agency to which the infringement amount is payable.
- (2) The infringement notice must include a statement to the effect of the following:
 - (a) the person may expiate the infringement notice offence and avoid any further action in relation to the offence by paying the infringement amount to the specified enforcement agency within 28 days after the notice is given;
 - (b) the person may elect to have the offence dealt with by a court by:
 - (i) completing a statement of election and giving it to the specified enforcement agency; and
 - (ii) not paying the infringement amount;
 - (c) if the *Fines and Penalties (Recovery) Act 2001* applies to the infringement notice offence – enforcement action may be taken under that Act if the person does nothing in response to the notice.
- (3) The infringement notice must include an appropriate form for making the statement of election mentioned in clause (2)(b)(i).

53 Electronic payment and payment by cheque

- (1) If the person uses electronic means to pay the infringement amount, payment is not effected until the amount is credited to the payee's bank account.

- (2) If the person tenders a cheque in payment of the infringement amount, payment is not effected unless the cheque is cleared on first presentation.

54 Expiation of offence

If the infringement amount for the infringement notice offence is paid in accordance with the infringement notice, the alleged offence is expiated and no further proceedings can be taken in relation to the offence.

55 Withdrawal of infringement notice

- (1) The CEO may withdraw the infringement notice by written notice given to the person.
- (2) The notice must be given:
- (a) within 14 days after the infringement notice is given to the person; and
 - (b) before payment of the infringement amount.

56 Application of Part

- (1) This Part does not prejudice or affect the start or continuation of proceedings for an infringement notice offence for which an infringement notice has been given unless the offence is expiated.
- (2) This Part does not:
- (a) require an infringement notice to be given; or
 - (b) affect the liability of a person to be prosecuted in a court for an offence for which an infringement notice has not been given; or
 - (c) prevent more than one infringement notice for the same offence being given to a person.
- (3) If more than one infringement notice for the same offence has been given to a person, the person may expiate the offence by paying the infringement amount in accordance with any of the notices.

Part 5 Repeal and transitional matters
Division 2 Transitional matters for City of Palmerston (Animal Management) By-laws 2024

Part 5 Repeal and transitional matters

Division 1 Repeals

57 Repeal of By-laws

The By-laws specified in Schedule 1 are repealed.

Division 2 Transitional matters for City of Palmerston (Animal Management) By-laws 2024

58 Definitions

In this Division:

commencement means the commencement of by-law 57.

former By-laws means the *Palmerston (Animal Management) By-laws 1999*.

59 Former determinations

A charge, due or fee determined under the former By-laws and in force immediately before the commencement continues on the commencement as if it were determined under these By-laws.

60 Licences and registrations under former By-laws

A licence or registration issued, granted or renewed under the former By-laws that is in force immediately before the commencement continues as if the licence or registration were issued, granted or renewed under these By-laws.

61 Dog exercise areas and dog restriction areas

- (1) A dog exercise area declared under the former By-laws and in force immediately before the commencement continues on the commencement as if it were declared under by-law 17 of these By-laws.
- (2) A dog restriction area declared under the former By-laws and in force immediately before the commencement continues on the commencement as if were declared under by-law 18 of these By-laws.

Part 5 Repeal and transitional matters
Division 2 Transitional matters for City of Palmerston (Animal Management) By-laws
2024

62 Offence provisions

- (1) The offence provisions in the former By-laws, as in force immediately before the commencement, continue to apply in relation to offences committed before the commencement.
- (2) For this by-law, if any element of an offence occurred before the commencement, the offence is taken to have been committed before the commencement.
- (3) In this by-law:

offence provision means a provision that creates or relates to offences, including in relation to criminal responsibility, defences and penalties.

Schedule 1 Repealed By-laws

Schedule 1 Repealed By-laws

by-law 57

<i>Palmerston (Animal Management) By-laws</i>	SL No. 25, 1999
<i>Amendments of Palmerston (Animal Management) By-laws</i>	SL No. 19, 2000
<i>Amendments of Palmerston (Animal Management) By-laws</i>	SL No. 51, 2002

Schedule 2 Infringement notice offences and infringement amounts

Schedule 2 Infringement notice offences and infringement amounts

by-law 50

Provision	Infringement amount (penalty units)
by-law 8(1)	1
by-law 10(1)	1
by-law 11(2)	1
by-law 12(3)	1
by-law 13(3)	2
by-law 14(4)	1
by-law 16(4)	1
by-law 17(6)	1
by-law 19(1)	1
by-law 20(3)	3
by-law 21(2)	5
by-law 22(2)	7
	for aggravated offence – 9
by-law 24	1
by-law 29(1)	9
by-law 32(3)	2
by-law 38(4)	1
by-law 39(6)	2

COUNCIL AGENDA Attachment 13.1.3.2



Department of
**THE CHIEF MINISTER AND
CABINET**

Chief Executive Officer
Level 14 NT House
22 Mitchell Street Darwin NT 0800

Postal address
GPO Box 4396
Darwin NT 0801

E ChiefExecutive.CMC@nt.gov.au

T 08 8999 6490

Certificate of the CEO of the Agency

Local Government Act 2019

City of Palmerston (Animal Management) By-laws 2024

I, Andrew James Kirkman, Acting Chief Executive Officer of the Department of the Chief Minister and Cabinet, for section 278(1)(d) of the *Local Government Act 2019* (the Act), certify that the proposed *City of Palmerston (Animal Management) By-laws 2024* are consistent with the principles in Part 13.1 of the Act.

A handwritten signature in blue ink, appearing to read 'AK', written over a faint horizontal line.

Andrew Kirkman

15 April 2024

COUNCIL REPORT

1st Ordinary Council Meeting

AGENDA ITEM:	13.1.4
REPORT TITLE:	Vibrant Economy Advisory Committee Minutes - 29 April 2024
MEETING DATE:	Tuesday 7 May 2024
AUTHOR:	Executive Assistant to General Manager People & Place, Emily Dehne
APPROVER:	Deputy Chief Executive Officer, Amelia Vellar

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

This Report seeks Council approval of the recommendations from the Vibrant Economy Advisory Committee meeting held on Monday 29 April 2024.

KEY MESSAGES

- The Vibrant Economy Advisory Committee met on Monday, 29 April 2024.
- The Vibrant Economy Advisory Committee agenda and unconfirmed minutes from this meeting are available for viewing on Council's website.
- The Committee reviewed two (2) Action Reports and three (3) Receive and Note Reports.
- Council approval is sought to endorse the recommendations from the Vibrant Economy Advisory Committee meeting held on Monday, 29 April 2024.
- Council approval is sought to endorse the proposed 2024 Vibrant Economy Advisory Committee meeting schedule.

RECOMMENDATION

1. THAT Report entitled Vibrant Economy Advisory Committee Minutes - 29 April 2024 be received and noted.
2. THAT the unconfirmed Vibrant Economy Advisory Committee Minutes provided as **Attachment 13.1.4.1** to report entitled Vibrant Economy Advisory Committee Minutes - 29 April 2024 be received and noted.
3. THAT Council endorse the proposed recommendations from the Palmerston Vibrant Economy Advisory Committee meeting held on 29 April 2024, being:
 - a. THAT Council endorse the reviewed Terms of Reference for the Vibrant Economy Advisory Committee as **Attachment 13.1.4.3**.
4. THAT Council endorse the Vibrant Economy Advisory Committee Meeting Schedule as follows:

a.	5:30pm	Monday	29 April 2024	in Council Chambers
b.	5:30pm	Monday	22 July 2024	in Council Chambers
c.	5:30pm	Monday	21 October 2024	in Council Chambers

BACKGROUND

The Vibrant Economy Advisory Committee (committee) is established as an Advisory Committee to the City of Palmerston.

The Committee is established by Council Pursuant Section 82(1) to the *Northern Territory Local Government Act (the Act)* and the *Terms of Reference*, the Committees are advisory in nature with no delegated authority and are intended to inform and make recommendations to Council on Committee related issues.

During the final Committee meetings for 2023, Committees discussed the 2024 meeting schedule and recommended these schedules to be endorsed at Council. Whilst the minutes of the Committee meetings were endorsed, at the Ordinary Council Meeting of 12 December 2023, Council requested officers provide further options for a 2024 meeting schedule.

DISCUSSION

The Vibrant Economy Advisory Committee (VEAC) meeting was held on Monday 29 April 2024 with the unconfirmed minutes provided at **Attachment 13.1.4.1**.

The Advisory Committee reviewed the Receive and Note Reports Business Survey Update – 2024, City of Palmerston Economic Development Website Update and Crime Prevention Through Environmental Design Audit, and the Action Reports Vibrant Economy Advisory Committee Meeting Schedule 2024 and the Terms of Reference Review.

The Terms of Reference were reviewed and minor changes to phrasing, punctuation and an update to the responsible officer was recommended. A change to the definition of Quorum has been made to align with legislation more closely, utilising similar wording. These changes are marked in **Attachment 13.1.4.2**, and the recommended policy as **Attachment 13.1.4.3**.

Feedback was sort from the relevant Advisory Committees at the April 2024 meetings on the change to the meeting schedule for 2024.

At the meeting the below proposed 2024 meeting schedule was provided:

5:30pm Monday	29 April 2024	in Council Chambers
5.30pm Monday	22 July 2024	in Council Chambers
5.30pm Monday	21 October 2024	in Council Chambers

No feedback was received from the Vibrant Economy Advisory Committee, and they have endorsed the recommendation from Council to proceed with this meeting schedule.

The Agenda from this meeting is available for viewing on Council's website.

CONSULTATION AND MARKETING

There was no consultation or marketing required during the preparation of this Report.

POLICY IMPLICATIONS

There are no policy implications for this Report.

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this Report.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This Report addresses the following City of Palmerston Strategic Risks:

3. **Economic Development**
Failure to articulate, provide and promote the value proposition for Palmerston as an economic centre to attract investment.
6. **Governance**
Failure to effectively govern.

STRATEGIES, FRAMEWORK AND PLANS IMPLICATIONS

This report relates to the [Communications Strategy](#).

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

1. 20240429 UNCONFIRMED Vibrant Economy Advisory Committee Meeting Minutes 29 April 202 [13.1.4.1 - 6 pages]
2. 20220323 Terms of Reference Vibrant Economy Advisory Committee Markup [13.1.4.2 - 3 pages]
3. 20220323 Terms of Reference Vibrant Economy Advisory Committee Final [13.1.4.3 - 3 pages]



MINUTES

Vibrant Economy Advisory Committee Meeting Monday 29 April 2024

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

'A Place for People'



A Place for People

Minutes of Vibrant Economy Advisory Committee Meeting
held in Council Chambers
Civic Plaza, 1 Chung Wah Terrace, Palmerston
on Monday 29 April 2024 at 5:30pm.

PRESENT

COMMITTEE MEMBERS Councillor Mark Fraser (Chair)
Deputy Mayor Benjamin Giesecke
Brandon Evans, Department of the Chief Minister
and Cabinet Representative
Carmine Rauso, Local Business Owner
Representative

STAFF Chief Executive Officer, Luccio Cercarelli
City Activation Manager, Matthew McNamara
City Activation Officer, Tree Gillam
Minute Secretary, Emily Dehne

GALLERY Nil



A Place for People

COUNCIL AGENDA Attachment 13.1.4.1 COMMITTEE MINUTES

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 Giesecke
Seconded: Brandon Evans

1. THAT the apology received from Ruth Palmer for 29 April 2024 be received and noted.
2. THAT the apology received from Mayor Pascoe-Bell for 29 April 2024 be received and noted.
3. THAT the apology received from Mohan Kandasamy for 29 April 2024 be received and noted.

CARRIED VEAC10/42 - 29/04/2024

3.2 Leave of Absence Previously Granted

Nil

3.3 Leave of Absence Request

Nil

4 DECLARATION OF INTEREST

4.1 Committee Members

Nil

4.2 Staff

Nil

5 CONFIRMATION OF MINUTES

5.1 Confirmation of Minutes

Moved: Brandon Evans
Seconded: Deputy Mayor Giesecke



A Place for People

COUNCIL AGENDA Attachment 13.1.4.1

COMMITTEE MINUTES

THAT the Minutes of the Vibrant Economy Advisory Committee Meeting held on 27 November 2023 pages 22 to 26 be confirmed.

CARRIED VEAC10/43 – 29/04/2024

5.2 Business Arising from Previous Meeting

Nil

6 DEPUTATIONS AND PRESENTATIONS

Nil

7 CONFIDENTIAL ITEMS

7.1 Moving Confidential Items into Open

Nil

7.2 Moving Open Items into Confidential

Nil

7.3 Confidential Items

Nil

8 OFFICER REPORTS

8.1 Action Reports

8.1.1 Vibrant Economy Advisory Committee Meeting Schedule 2024

Moved: Deputy Mayor Giesecke
Seconded: Brandon Evans

1. THAT Report entitled Vibrant Economy Advisory Committee Meeting Schedule 2024 be received and noted.
2. THAT the Vibrant Economy Advisory Committee endorse Council's recommendation to amend the committee meeting schedule being:

a.	5.30pm	Monday 29 April 2024	in Council Chambers
b.	5.30pm	Monday 22 July 2024	in Council Chambers
c.	5.30pm	Monday 21 October 2024	in Council Chambers

CARRIED VEAC10/44 – 29/04/2024

8.1.2 Terms of Reference Review

Moved: Deputy Mayor Giesecke
Seconded: Carmine Rauseo



A Place for People

COUNCIL AGENDA Attachment 13.1.4.1

COMMITTEE MINUTES

1. THAT Report entitled Terms of Reference Review be received and noted.
2. THAT the Vibrant Economy Advisory Committee recommend to the Council:
 - a. THAT Council endorse the reviewed Terms of Reference for the Palmerston Vibrant Economy Advisory Committee as **Attachment 8.1.2.3**.

CARRIED VEAC10/45 – 29/04/2024

8.2 Receive and Note Reports

8.2.1 Business Survey Update - 2024

Moved: Brandon Evans
Seconded: Carmine Rauseo

THAT Report entitled Business Survey Update - 2024 be received and noted.

CARRIED VEAC10/46 – 29/04/2024

8.2.2 City of Palmerston Economic Development Website Update

Moved: Deputy Mayor Giesecke
Seconded: Carmine Rauseo

THAT Report entitled City of Palmerston Economic Development Website Update be received and noted.

CARRIED VEAC10/47 – 29/04/2024

8.2.3 Crime Prevention Through Environmental Design Audit

Moved: Deputy Mayor Giesecke
Seconded: Brandon Evans

THAT Report entitled Crime Prevention Through Environmental Design Audit be received and noted.

CARRIED VEAC10/48 – 29/04/2024

9 INFORMATION AND CORRESPONDENCE

9.1 Information

Nil

9.2 Correspondence

Nil



A Place for People

COUNCIL AGENDA Attachment 13.1.4.1

COMMITTEE MINUTES

10 GENERAL BUSINESS

Nil

11 NEXT COMMITTEE MEETING

Moved: Deputy Mayor Giesecke
Seconded: Carmine Rauseo

THAT the next Vibrant Economy Advisory Committee Meeting of Council be held on Monday, 22 July 2024 at 5:30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

CARRIED VEAC10/49 – 29/04/2024

12 CLOSURE OF MEETING

Moved: Carmine Rauseo
Seconded: Deputy Mayor Giesecke

THAT the meeting of the Vibrant Economy Advisory Committee held in Council Chambers, Civic Plaza, Palmerston on Monday 29 April 2024 closed at 6:06pm.

CARRIED VEAC10/50 – 29/04/2024

The Chair declared the meeting closed at 6:06pm.



A Place for People

TERMS OF REFERENCE

Committee Name:	Vibrant Economy Advisory Committee		
Type:	Council Advisory Committee		
Responsible Officer:	Director Finance and Governance General Manager People and Place		
Owner:	Chief Executive Officer		
Approval Date:	15 March 2022	Next Review Date:	March 2024
Records Number:	469740	Council Decision:	10/237

1 PURPOSE

To provide advice to Council relating to actions and priorities relating to the Palmerston Local Economic Plan and its Action Plan. These terms of reference set guidelines for the operations of the Vibrant Economy Advisory Committee (VEAC).

2 COMMITTEE OBJECTIVES

- 2.1 Provide advice to Council in identifying economic development opportunities, improving the services provided to the community, in accordance with legislation and council policies.
- 2.2 Provide strategic business focus, industry perspective and balanced input for the implementation of the Local Economic Plan and its Action Plan.
- 2.3 Provide business perspective and advise on economic development issues or opportunities or Council's relevant plans and strategies.
- 2.4 Establish productive working relationships and ongoing communication between Council and the business community.
- 2.5 Increase partnerships in place between the Council and other levels of government to build a vibrant economy and community in Palmerston.
- 2.6 Draw on and share the expertise of specialists, as appropriate.

3 AUTHORITY/DELEGATION

The VEAC is an advisory body to Council and does not hold any decision-making powers. The Committee is responsible to recommend a course of action to Council on matters falling within its function.

4 MEMBERSHIP

- 4.1 Members are appointed by the Council.
- 4.2 The City of Palmerston shall appoint suitably qualified or experienced individuals to be members of the Committee based on its purpose, being:
 - Two Councillors and one Councillor as alternate member
 - Maximum two Community Members
 - Maximum two members of relevant business or property associations
 - Maximum three members being local business owners from varying sectors
 - One Representative of the Department of the Chief Minister and Cabinet
 - Mayor as ex-officio member
- 4.3 The Chairperson will be a Councillor holding membership to the committee.
- 4.4 The Mayor will be ex-officio member.



A Place for People

TERMS OF REFERENCE

- 4.5 Council staff attend in an advisory capacity, to provide information and updates. Staff do not hold voting rights and do not participate in group decisions unless specified.

5 TERMS AND VACANCIES

- 5.1 Membership term of a Councillor will be for one year, by nomination at an Ordinary Council Meeting.
- 5.2 Membership term for all other members will be for two years.
- 5.3 Council officers will invite relevant business associations to hold representation on the Committee.
- 5.4 Representatives shall be nominated by the appointed organisations.
- 5.5 A member who fails to attend three consecutive meetings without providing apology is considered to have resigned their membership.
- 5.6 The Terms of Reference and membership profile will be reviewed by the Committee every two years from the commencement of the committee's term, or as required.

6 COMMUNITY MEMBER SELECTION PROCESS

- 6.1 In considering expressions of interest, applicants are expected to:
- Hold a special interest in development of the local economy.
 - Contribute positively to the work of Committee by actively participating in meetings.
 - Represent community interest as a whole and not as individual interest.
 - Be respectful of diverse views and work collaboratively
 - Palmerston resident or owner of a Palmerston local business.
- 6.2 Community and local business representatives shall be considered by submitting an Expression of Interest Form available on the Council website.
- 6.3 Submissions received will be submitted to a confidential Meeting of Council for consideration.

7 MEETINGS

- 7.1 **Notice of Meetings and Business Papers**
The Chief Executive Officer will convene meetings and will distribute business papers no later than three business days prior to a meeting.
- 7.2 **Regularity**
Meetings will be held quarterly, or more frequently as required.
- 7.3 **Attendance**
7.3.1 Meetings are open to the public unless confidential business is being considered.
7.3.2 Guests or Network Members may be invited to attend meetings to provide advice or update on relevant matters by approval of the Advisory Committee Chair and responsible officer.
- 7.4 **Quorum**
One Councillor as the Chairperson and half plus one of the overall members. Quorum consists of a majority of its members holding office at the time of the meeting, maintaining one Councillor as the Chairperson.
- 7.5 **Chairperson Responsibilities**
7.5.1 To ensure meetings are conducted in accordance with the *Palmerston (Procedure for Meeting) By-Laws* and according to the agenda.
7.5.2 Ensuring all discussion items end with a decision, action, or appropriate outcomes.
7.5.3 Should the Chairperson be unable to attend a meeting, the alternate Councillor or Mayor shall perform the duties of Chairperson and if unavailable the meeting will be postponed.



A Place for People

TERMS OF REFERENCE

7.6 Voting

7.6.1 For voting purposes, the Chairperson shall accept motions moved and seconded by members of the Committee, by show of hands.

7.6.2 A Committee decision is by majority vote of voting members present at a meeting.

7.7 Minutes

Meeting minutes will be distributed to members within ten working days after a meeting and presented to Council at its next Ordinary Meeting.

8 CONDUCT

8.1 Conflicts of interest

Committee Members must declare any real or perceived conflicts of interest when joining the Committee, annually and at the start of each meeting before discussion of the relevant agenda items on the approved Council form.

8.2 Code of Conduct

All Committee Members are required to abide with Schedule 1 of the *Local Government Act 2019 Code of Conduct for Elected Members and Committee Members*.

8.3 Committee Representation

Committee Members must not speak on behalf of Council or the Committee without the approval of the Chief Executive Officer.

9 PERFORMANCE REVIEW

The Committee will provide an annual summary of the Committees performance to Council prior to the end of financial year.



A Place for People

TERMS OF REFERENCE

Committee Name:	Vibrant Economy Advisory Committee		
Type:	Council Advisory Committee		
Responsible Officer:	General Manager People and Place		
Owner:	Chief Executive Officer		
Approval Date:		Next Review Date:	
Records Number:	469740	Council Decision:	

1 PURPOSE

To provide advice to Council relating to actions and priorities relating to the Palmerston Local Economic Plan and its Action Plan. These terms of reference set guidelines for the operations of the Vibrant Economy Advisory Committee (VEAC).

2 COMMITTEE OBJECTIVES

- 2.1 Provide advice to Council in identifying economic development opportunities, improving the services provided to the community, in accordance with legislation and council policies.
- 2.2 Provide strategic business focus, industry perspective and balanced input for the implementation of the Local Economic Plan and its Action Plan.
- 2.3 Provide business perspective and advise on economic development issues or opportunities or Council's relevant plans and strategies.
- 2.4 Establish productive working relationships and ongoing communication between Council and the business community.
- 2.5 Increase partnerships in place between the Council and other levels of government to build a vibrant economy and community in Palmerston.
- 2.6 Draw on and share the expertise of specialists, as appropriate.

3 AUTHORITY/DELEGATION

The VEAC is an advisory body to Council and does not hold any decision-making powers. The Committee is responsible to recommend a course of action to Council on matters falling within its function.

4 MEMBERSHIP

- 4.1 Members are appointed by the Council.
- 4.2 The City of Palmerston shall appoint suitably qualified or experienced individuals to be members of the Committee based on its purpose, being:
 - Two Councillors and one Councillor as alternate member
 - Maximum two Community Members
 - Maximum two members of relevant business or property associations
 - Maximum three members being local business owners from varying sectors
 - One Representative of the Department of the Chief Minister and Cabinet
 - Mayor as ex-officio member
- 4.3 The Chairperson will be a Councillor holding membership to the committee.
- 4.4 The Mayor will be ex-officio member.



A Place for People

TERMS OF REFERENCE

- 4.5 Council staff attend in an advisory capacity, to provide information and updates. Staff do not hold voting rights and do not participate in group decisions unless specified.

5 TERMS AND VACANCIES

- 5.1 Membership term of a Councillor will be for one year, by nomination at an Ordinary Council Meeting.
- 5.2 Membership term for all other members will be for two years.
- 5.3 Council officers will invite relevant business associations to hold representation on the Committee.
- 5.4 Representatives shall be nominated by the appointed organisations.
- 5.5 A member who fails to attend three consecutive meetings without providing apology is considered to have resigned their membership.
- 5.6 The Terms of Reference and membership profile will be reviewed by the Committee every two years from the commencement of the committee's term, or as required.

6 COMMUNITY MEMBER SELECTION PROCESS

- 6.1 In considering expressions of interest, applicants are expected to:
- Hold a special interest in development of the local economy.
 - Contribute positively to the work of Committee by actively participating in meetings.
 - Represent community interest as a whole and not as individual interest.
 - Be respectful of diverse views and work collaboratively
 - Palmerston resident or owner of a Palmerston local business.
- 6.2 Community and local business representatives shall be considered by submitting an Expression of Interest Form available on the Council website.
- 6.3 Submissions received will be submitted to a confidential Meeting of Council for consideration.

7 MEETINGS

- 7.1 **Notice of Meetings and Business Papers**
The Chief Executive Officer will convene meetings and will distribute business papers no later than three business days prior to a meeting.
- 7.2 **Regularity**
Meetings will be held quarterly, or more frequently as required.
- 7.3 **Attendance**
- 7.3.1 Meetings are open to the public unless confidential business is being considered.
- 7.3.2 Guests or Network Members may be invited to attend meetings to provide advice or update on relevant matters by approval of the Advisory Committee Chair and responsible officer.
- 7.4 **Quorum**
Quorum consists of a majority of its members holding office at the time of the meeting, maintaining one Councillor as the Chairperson.
- 7.5 **Chairperson Responsibilities**
- 7.5.1 To ensure meetings are conducted in accordance with the *Palmerston (Procedure for Meeting) By-Laws* and according to the agenda.
- 7.5.2 Ensuring all discussion items end with a decision, action, or appropriate outcomes.
- 7.5.3 Should the Chairperson be unable to attend a meeting, the alternate Councillor or Mayor shall perform the duties of Chairperson and if unavailable the meeting will be postponed.



A Place for People

TERMS OF REFERENCE

7.6 Voting

7.6.1 For voting purposes, the Chairperson shall accept motions moved and seconded by members of the Committee, by show of hands.

7.6.2 A Committee decision is by majority vote of voting members present at a meeting.

7.7 Minutes

Meeting minutes will be distributed to members within ten working days after a meeting and presented to Council at its next Ordinary Meeting.

8 CONDUCT

8.1 Conflicts of interest

Committee Members must declare any real or perceived conflicts of interest when joining the Committee, annually and at the start of each meeting before discussion of the relevant agenda items on the approved Council form.

8.2 Code of Conduct

All Committee Members are required to abide with Schedule 1 of the *Local Government Act 2019 Code of Conduct for Elected Members and Committee Members*.

8.3 Committee Representation

Committee Members must not speak on behalf of Council or the Committee without the approval of the Chief Executive Officer.

9 PERFORMANCE REVIEW

The Committee will provide an annual summary of the Committees performance to Council prior to the end of financial year.

COUNCIL REPORT

1st Ordinary Council Meeting

AGENDA ITEM:	13.2.1
REPORT TITLE:	Social Media Strategy Review 2022-2023
MEETING DATE:	Tuesday 7 May 2024
AUTHOR:	Marketing and Communications Manager, Becky Saywell
APPROVER:	Deputy Chief Executive Officer, Amelia Vellar

COMMUNITY PLAN

Governance: Council is trusted by the community and invests in things that the public value.

PURPOSE

This Report provides Council with an update on the implementation of the Social Media Strategy.

KEY MESSAGES

- The Social Media Strategy was developed in 2022 to align with the Communications Strategy and with the vision of 'A place for people'
- Social media make up 37% of preferred communications according to the 2022 Community Survey.
- Social media engagement has increased across Facebook (67.5%) and Instagram (48%) over the past 12 months.
- Followers have increased by 27% across all channels collectively.
- There has been consistent content pieces published across all channels (an average of 23 pieces per week).
- Future actions will look for ways to increase engagement and awareness through influencer channels, other social platforms, direct marketing tactics, consistency and identifying trends appropriate to council.

RECOMMENDATION

THAT Report entitled Social Media Strategy Review 2022-2023 be received and noted.

BACKGROUND

City of Palmerston's Social Media Strategy was developed to align with the Communications Strategy which is underpinned by the Community Plan and council's vision of *A Place for People*.

According to the 2022 Community Survey, 37% of respondents indicated they would prefer to obtain information from Council via social media platforms. Although this was a drop from the 2021 community survey (46%), it still represents a considerable proportion of our community. Social media is an important communication tool which has seen a significant increase in the 2022/2023 with engagement up 67.5% on Facebook and 48% on Instagram profile visits in comparison to the previous year.

At the 2nd Ordinary Council Meeting of 16 August 2022 Council made the following decisions:

13.1.1 Social Media Strategy Consultation Outcomes

1. THAT Report entitled Social Media Strategy Consultation Outcomes be received and noted.
2. THAT Council adopts the Social Media Strategy, as presented as **Attachment 13.1.1.1** to report entitled Social Media Strategy Consultation Outcomes.
3. THAT a Social Media Policy be developed and presented to Council by the second ordinary meeting in September 2022.

CARRIED 10/486 – 16/08/2022

This report provides the Council with an update on activities since the adoption of the strategy and other related activities.

DISCUSSION

The City of Palmerston's Social Media Strategy is an important document that outlines the organisation's approach to utilising social media platforms for communication and engagement with its residents and stakeholders. The aim is to connect, inform and educate the audience on what activities and services council provides. The strategy objectives include creating content that has a purpose, actively responding, creating opportunities for engagement, consistent posting, trialling new tactics and aligning messaging. These goals support the organisation's outcomes as set out in the Community Plan and demonstrate a clear understanding of the purpose of social media in local government. These tactics are also in line with national standard practices as reported in 'The state of Social media in the Public Sector' (2019), paper by Joanne Sweeney in collaboration with the Public Sector Network.

The following provides a comparative look at Facebook followers for other Councils throughout Australia to show that City of Palmerston in proportion to its population has a strong number of followers.

City of Palmerston (39,032 population) –	18,000 followers
Bathurst Regional Council (43,996 population)	19,000 followers
Tamworth Regional Council (62,545 population)	20,000 followers
Alice Springs Town Council (26,448 population)	8,100 followers
City of Darwin Council (82,030 population)	25,000 followers
Gympie Regional Council (52,935 population)	21,000 followers
City of Port Adelaide Enfield (129,530 population)	25,000 followers

The Social media accounts are tracking positively in comparison to other councils that offer similar services or with similar population and growth. As per the results from the latest customer satisfaction survey (as previously advised above), respondents advised their preference of receiving information is via the website and/or social media. This provides us with a strong case to continue using social media platforms as an important tool to communicate with the community. It also preferences the need to keep this communication consistent, and always looking at ways to improve the delivery of information to obtain a higher reach and awareness.

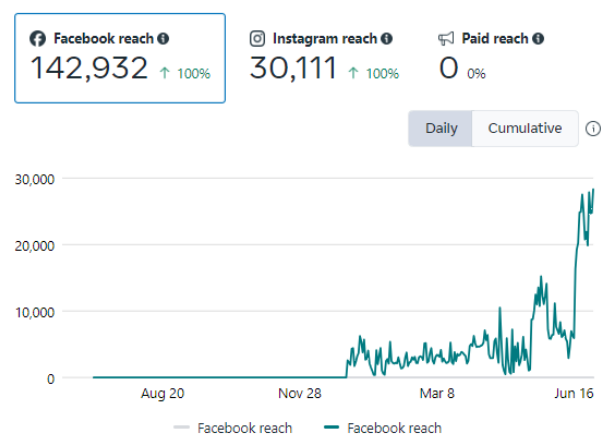
When looking at national standards, an overall engagement rate is a metric calculated to identify how you are tracking comparatively across local government or similar enterprises across Australia.

A Place for People

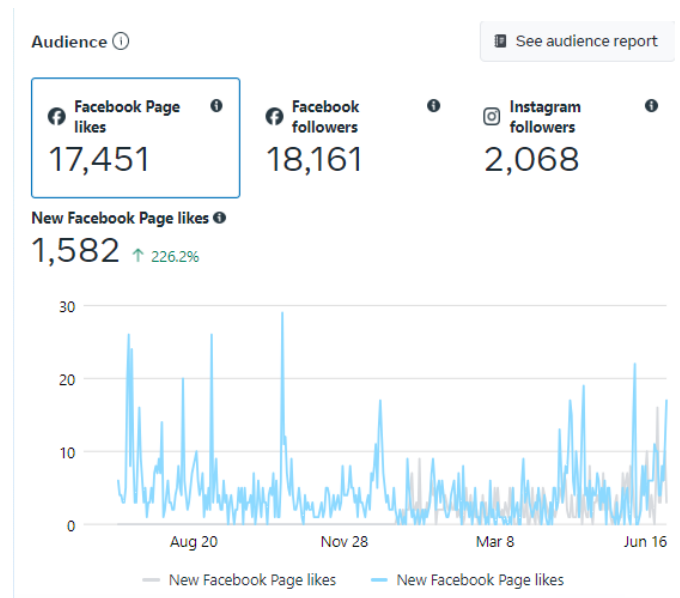
*Engagement rates – this is calculated by the amount of likes, comments, shares a post receives on average, divided by the amount of followers.

Platform	Standards	City of Palmerston
Facebook	0.5 % - above 1% average to good engagement	3.3 %
Instagram	3% or more	2.8 %
LinkedIn	2 % - above is good to great engagement	8.7 %

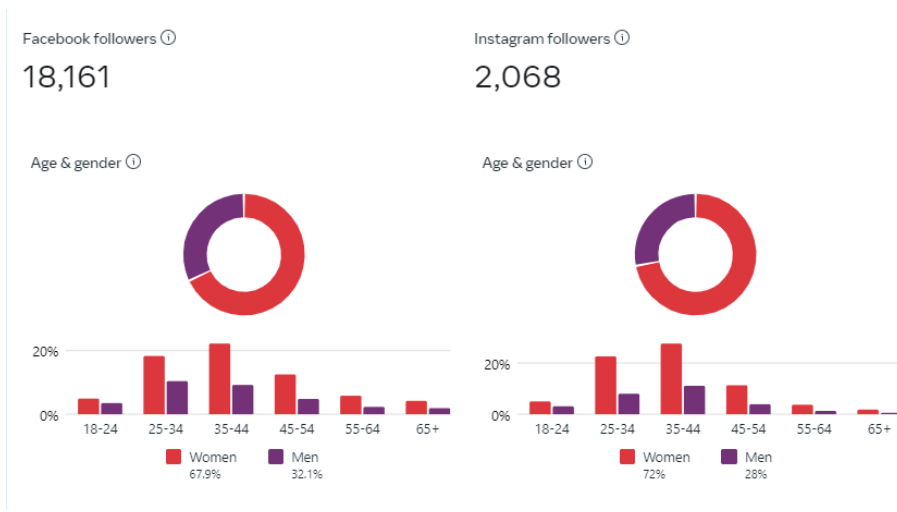
*standards taken from “The state of social media in the public sector” 2019 study.



2022-2023
2021-2022
Facebook and Instagram reach yearly comparison



Facebook page likes and followers increase



Current audience stats across Facebook and Instagram

Overall, City of Palmerston's Social Media Strategy demonstrates a comprehensive understanding of social media's role in engaging with residents and stakeholders and has shown effective communication outcomes with the community over the past 12 months.

An action plan has been developed focusing on the key objectives of the strategy and identifying tactics to work on moving forward. This can be found in **Attachment 13.2.1.1**.

The strategy's objectives will continually be evaluated and optimised towards aligning all channels to have a consistent approach and administration. By following this strategy, City of Palmerston can effectively leverage social media platforms to communicate, inform, and engage with the community.

Due to the nature of social media, and the changing environment, City of Palmerston will ensure that appropriate measures will be practiced, and continual professional development will be offered to staff in this space.

CONSULTATION AND MARKETING

There was no consultation required during the preparation of this Report.

POLICY IMPLICATIONS

In preparing this report, the following policies are relevant:

- [City of Palmerston Social Media Strategy](#)

BUDGET AND RESOURCE IMPLICATIONS

There are no budget or resource implications relating to this Report.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

This Report addresses the following City of Palmerston Strategic Risks:

4. Inclusion, Diversity and Access
Failure to balance meeting needs of Palmerston's cultural mosaic
6. Governance

Failure to effectively govern.

STRATEGIES, FRAMEWORK AND PLANS IMPLICATIONS

This report provides an update on how City of Palmerston is progressing with the [Social Media Strategy](#).

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the author and approving officer declare that we do not have a conflict of interest in relation to this matter.

ATTACHMENTS

1. 20240403 social media action plan [13.2.1.1 - 2 pages]

Social Media Strategy- Action Plan

BUSINESS OBJECTIVES	ACTION 2022/2023	FUTURE ACTIONS 2024/2025
Create content that is engaging, informative and has purpose	<p>Using real images with 'people' as a preference</p> <p>Ensuring the copy is clear and concise and drives people to the website for more information.</p> <p>Align content with the key objectives of the Community Plan</p> <p>Implemented internal forward schedule to ensure content was delivering against the community plan objectives.</p>	<p>Look at trending social content and reproduce where appropriate.</p> <p>Continue to align social media content with the key objectives from the community plan</p> <p>Continue to create content that is real and cuts through (monitor social and political environments)</p> <p>Publishing images from events creates opportunity for increased engagement with residents and followers</p>
Frequent posting and engagement across all channels	<p>A significant increase and consistent posting of content on all social platforms with an average of 23 pieces published per week (across all social platforms and stories).</p> <p>An increase in followers across all social media channels of 27% (City of Palmerston and Library Facebook/Insta/LinkedIn pages). This is 12% above the target increase as per the Social Media strategy 2022</p> <p>In comparison to similar organisations, this places City of Palmerston in between the 50% and the 75% percentile in number of published posts per week</p> <p>Implemented an internal forward schedule to ensure a event amount of posting was achieved over a monthly period (too many or too fewer posts can cause followers to be disengaged with the content).</p>	<p>Look for ways to encourage community driven content (ie. Sharing images, tagging themselves etc)</p> <p>Aim to increase followers across all channels by a further 5%</p> <p>Utilise local influencers at various events and activities throughout the year to assist in producing engaging content</p> <p>Relaunching a youth social channel (@palmerstonyouthfestival)</p>
Actively respond to direct messages within 2 business days	<p>In 2022/23 there were 83 messages received from residents for which the average response rate was 47.4%. (The rate of responses within 24 hours). The average response time within the 24 hour period was 3 hours and 24 minutes.</p>	<p>City of Palmerston will continue to use social media platforms as an important communication channel and aim to keep response rates above 50%.</p>

COUNCIL AGENDA Attachment 13.2.1.1

	<p>Prior to 2022/23, there was only two messages sent to residents on social media, therefore data set was not achievable.</p>	
<p>Trial new tactics</p>	<p>Increase in content capture at various events and activities.</p> <p>Engaging with other profiles on all social media channels.</p>	<p>Look at trending social content and reproduce where appropriate.</p> <p>Tag partners in relevant posts when appropriate to increase engagement</p> <p>Identify other social platforms that could benefit City of Palmerston</p>
<p>Create opportunities for more community or influencer engagements</p>	<p>Worked with talent for Palmerston Youth Festival</p> <p>Engaged external content creator to post on City of Palmerston channels at various events</p>	<p>Post images from all events to encourage more community engagement</p> <p>Contract external content creators to promote Council events and activities on their channels to increase awareness through their audiences</p> <p>Look into tactics such as competitions, newsletter sign ups, surveys to gain an increase in followers as well as important data for the purpose of direct marketing.</p>
<p>Align creative with messaging and destination</p>	<p>Creative content remained consistent across social platforms with all other marketing placements. (ie. Using the same images on posters, website, NT News ads etc as on facebook).</p> <p>Driving visitors to the website by proving links (bitly) in all posts across all platforms.</p>	<p>Continue to use consistent imagery and copy across all marketing placements for further awareness.</p> <p>Continue internal social media training for all staff, Executive Team and Elected Members</p>

A Place for People

14 INFORMATION AND CORRESPONDENCE

14.1 Information

14.2 Correspondence

14.2.1 Department of the Chief Minister and Cabinet - Social Media Information sheet and Social Media Guide

THAT correspondence dated 15 March 2024 14.2.1 entitled Department of the Chief Minister and Cabinet - Social Media Information sheet and Social Media Guide be received and noted.

SOCIAL MEDIA DON'TS



If you are a council member, it is really important to think about what you put on social media or what you say on social media.

- Maybe you do not need to post on social media, every day or week.
- Do not post things, do not comment on things, or do not share information that is gossip or will lie to people.
- Do not post / say bad comments about other people. Do not post / say bad things about people who work or used to work at council.
- Do not post things that maybe will embarrass you, embarrass other people or embarrass your council.
- Do not get involved with requests or feedback from people in the community, unless the CEO says yes first.
- Do not post anything that will make people think it is from the Council.
- Do not post personal / things that are not about work on your work account.
- Do not post anything confidential / secret, even if you don't work for council anymore.
- Stay away from / do not do anything illegal / against the law online. Do not post if you are not sure.

SOCIAL MEDIA DO'S



- Do read the RULES. They are called the Code of Conduct, the council policies and governing legislation (law for councils). These will say what you should do and how you should act online. Make sure the things you do online (actions and behaviour) are the same as what these RULES talk about / say. Check if you are unsure.
- Do keep your work social media account away from your personal social media account.
- Do look for questions and messages from community and tell them that their questions will be sent / passed on to council.
- Do ask your followers for their ideas on how to make the community a better place.
- Do say that you are saying just what YOU think and make sure that you say you are NOT speaking for the council.
- Do check what you are going to say first in your work posts – will community or council be upset by your post?
- Do / always think about the things that you say / put on your personal social media accounts. Your personal social media posts can be mixed up with your work / position as a council member.
- Do delete any posts or comments from your accounts that might cause trouble / harm as soon as possible.
- Do think carefully about what you will say / comment about politics, issues and events in other council areas.
- You must always keep secret council information secret / not talk about it. It is a rule / law called a duty of confidentiality. Even after you leave that job.
- Do report any posts which are bad trouble/ threatening to police.
- Do talk to someone / get advice if you are getting bullied online.

Information sheet

Personal use of social media

Social media is a powerful communication and networking tool that has become part of our everyday life.

This information sheet is designed to assist local government council members to understand the best practice approach when using social media for personal and professional purposes.

Freedom of speech

The *Australian Constitution* provides for what the High Court of Australia calls the “implied freedom of political communication”. This gives everybody, including council members, the right to criticise governments, political processes and individual politicians. This freedom is considered essential for our system of representative democracy and cannot be overridden by any law of the Northern Territory or council policy. However council members should always focus on working together as a strong team to deliver positive outcomes to the community, including through appropriate communications.

Quick tips – think before you post and ask yourself these questions

- Could my post cause the council, the community, residents, ratepayers or other stakeholders to lose confidence in my ability to perform my role in an impartial and professional manner?
- Are my posts consistent with how the community expects a council member to operate and behave?
- Can I share this information? You cannot share information that is confidential, false or misleading, or share a council decision that has not been publicly released by council administration.
- Is my post mixing work with my personal life? It is best to keep your work profile and posts related to your role as a council member, separate to your personal profile, to avoid any misunderstanding of whether you are communicating as a councillor or as a private citizen. Consider whether it may be useful to restrict your personal profile or keep it private.
- Does my post reflect my responsibilities to act as a member of the council and a person elected to represent the public interest, and is it respectful and appropriate?
- Could my post damage or undermine the reputation of the council?
- Could my post break the law? For example, do they comply with anti-discrimination legislation and laws relating to defamation (especially if you are naming a particular person)?
- Would I be comfortable if the person I am commenting about read my comments?
- Is it appropriate to name individuals, for example other elected members or staff? It is recommended that councillors follow council policies or other options such as the Code of Conduct complaint process, rather than publicly criticising individuals such as other elected members or staff.
- Would I change my post if it was printed in a newspaper or news page on social media?

Personal use of social media

- Think and rethink before you post. Sometimes you can unintentionally post something hurtful or upsetting when you do not mean to. Consider how someone else may interpret your post and the impact this may have on public confidence in you and/or the council.

What is social media

Social media consists of tools such as websites and applications that allow users to create and share content and to participate in social networking. Social media may include:

- Social networks such as Yammer, Facebook, Twitter and LinkedIn.
- Media sharing networks such as YouTube, Snapchat, TikTok, Instagram, Pinterest, Vimeo and Soundcloud.
- Bookmarking and content curation networks such as Pinterest.
- Corporate networks such as SharePoint and Skype.
- Blogging networks such as WordPress and Newshub.
- Micro-blogging networks such as Twitter, Mastodon and Tumblr.
- Discussion forums such as Reddit and Whirlpool.
- Wikis such as Wikipedia.
- Online gaming networks such as World of Warcraft, Call of Duty and Fortnite.
- Sharing economy websites, such as Gumtree and Uber.

The term “post” in this guide refers to any shared or created content put on social media.

Purpose of personal and professional accounts

You may already have a number of personal social media accounts that allow you to connect with family and friends across the world. Social media can be an excellent way to stay in touch with people you may have lost contact with over the years and share your personal experiences, hobbies, and passions outside of work. Your personal account might use your real name or a nickname, have a personal photo or image for your profile picture and have either a private profile or strict privacy settings.

A professional profile, on the other hand, is like an online resume. It can help give the public an idea of your role, provide a platform to build professional connections, and allow you to engage with the community, raise awareness about what's happening in your area, and share your professional interests or views. Your professional accounts should include your real name, position title, council / ward name, and location.

It is recommended to keep your personal and professional accounts separate, while treating both spaces as opportunities to present yourself in a positive light and maintain respectful and appropriate behaviour at all times. Remember that the Code of Conduct applies to both accounts and any posts, likes, shares, or interactions.

What is public and what is private

You might mistakenly assume that your social media interactions and comments are private and anonymous, especially if you have set the highest level of privacy or security settings for your accounts. However, there is no guarantee of privacy.

Personal use of social media

It is important to note that the content you create on some third-party sites is the property of the site where it is posted and may be reused in ways that you did not intend. Therefore, before posting anything on a social media site, it is crucial to understand the platform you are using, read the terms of service and user guides, and familiarize yourself with posting etiquette and cultural and behavioural norms associated with the site.

It is also important to remember that what you post online can stay there for a long time and can be shared beyond the intended audience, potentially causing damage to your reputation, another person's reputation, or your council's reputation. As a council member, it is crucial to maintain a clear distinction between your private online identity and your councillor identity.

If inappropriate comments or content become public, you may be accountable under the Code of Conduct and the *Local Government Act 2019*. Additionally, there are risks to your personal well-being, such as harassment and trolling, that you may face as a council member associated with a council or other organisations or issues.

This guide aims to provide you with information that will help you understand your behavioural obligations as a council member and support you in protecting yourself from avoidable risks.

Council members expressing personal opinion

Council members have the right to express their personal opinions in public comments. However, they should not make any statements that could be interpreted as representing the official stance of their council, as council decisions are group decisions made in the best interests of the whole community. To avoid any confusion, it is suggested that council members preface any personal comments regarding matters or activities related to their council with a statement similar to the following: "As a [name of council] Councillor, the views expressed here are solely my own."

It is also worth checking your council media and social media policy to make sure your posts are compliant.

Receiving works requests or community feedback

When council members use social media as part of their role, they may receive posts or comments from community members, such as requests for services, administrative inquiries, complaints, or compliments. It's important to remember that the community sees these communications as equivalent to letters or emails, and they expect a response.

However, council members are not responsible for finding answers or resolving community members' requests. That is the role of the council's administration. Council members should only receive the community member's communication and ensure that it is directed to the council's administration for action.

If council members are using social media to connect with their community, they should discuss and agree with the CEO on how to forward community requests to the council's administration for action. They should regularly review their social media and promptly forward community requests to the administration and provide information of council channels available to ensure requests or complaints are dealt with efficiently.

Council members should inform community members how their communication has been received and actioned. For example, they could say: "Thank you for contacting us. Your request has been forwarded to the [name of council] for response, and you can expect to hear back from us soon. For more information, please contact our Customer Service Team at [phone number] or [email address]."

Recommended Dos and Don'ts for using photos, videos, images and infographics

Do:

Personal use of social media

- Use relevant, appropriate, engaging and high quality images or videos to draw more attention to your post.
- Ask permission from each person before taking their photo and explain the intended use of the photo.
- Ask permission to use an image or video that someone else created, even if you are pictured.
- Consider obtaining written consent to use a photo or video on your social media.
- Credit the person that took the photo or acknowledge the original source.
- Remove an image or video immediately on request.
- Request for photos of yourself to be removed from accounts if you did not give permission or feel it is no longer appropriate. Report the person if your image or video has not been removed after 48 hours.

Don't:

- Use the image or video if you don't know the creator.
- Post stock photos without a caption or giving credit to the owner.
- Use the photo or video if you did not obtain permission from every person pictured.
- Use images from the internet without double checking the terms of use.
- Take or use photos or videos where the site, event or venue explicitly prohibits photo and video.
- Use inappropriate images or videos that may upset, offend or embarrass yourself, another person or your council.
- Use images that go against the platform's terms and conditions, council's policies or governing legislation.

What to do if you become a victim of online bullying

- Keep evidence of the offensive or harmful content (screenshots). This may be needed for an investigation.
- Contact the social media service provider and ask them to block the offensive content.
- You could contact the person who posted the offensive content and ask them to remove it.
- Seek advice and support from someone you trust. A family member, friend, fellow council member, Chief Executive Officer (CEO) of the council or a counselling service may help you to cope with particularly difficult or ongoing concerns.
- Take a stand. If someone is being disrespectful or offensive, let them know that you find their comment / content offensive. Remember, regardless of the severity of the content to which you are responding, an offensive response by you may still constitute a breach of the law.
- If the post is from a council member then you may want to lodge a Code of Conduct complaint. Always be respectful and model behaviours that align with the Code of Conduct for council members yourself.
- Posts which are threatening or imply unlawful activity should be reported to police.

Personal use of social media

What happens if I have breached the requirements?

If you believe that you have previously posted comments or content that may breach your obligations, it is recommended that you remove (delete) the offending material as soon as possible after you become aware that the material may constitute a breach.

Legislation

Council member behaviour and activity, including when using social media for professional or personal purposes is governed by:

- *Local Government Act 2019*
 - Code of Conduct at Schedule 1
- *Local Government (General) Regulations 2021*
- *Local Government (Electoral) Regulations 2021*
- *Information Act 2002*
- *Anti-Discrimination Act 1992 (NT)*
- *Defamation Act 2006.*

Check your council's policies too as there may be specific policies which apply to communications and social media which you should consider. For example:

- Public Relations / Media
- Election Caretaker Period.

For more information

You will find answers to the most commonly asked questions on the page below. For further queries, please contact your council staff or alternatively you can contact the Local Government Unit, Department of the Chief Minister and Cabinet via LGQuestions.CMC@nt.gov.au.

Frequently asked questions

Why can't I say what I want if I post anonymously?

Are you sure you are anonymous? You may not have identified yourself as a council member but many of us now have a digital footprint that makes it easy to find out who we are. Posting material anonymously or using a pseudonym does not guarantee your identity will stay hidden. Even if you do not identify yourself you can still be identified by someone else.

It is simply common sense to assume that anything you write or post can be linked to you and your council - whether you intend it or not.

What if I have posted after hours?

Your capacity to affect your own reputation or that of your council does not stop when you leave the council chamber. The comments you make at any time can make people question your ability to be impartial, respectful and professional when you are acting as a council member.

The community expects council members to uphold the Code of Conduct behaviours at all times.

What if I posted material from my private computer/tablet/phone?

Posting material from your private equipment means that you do not have to worry about whether or not you've properly used the council information and communication technology (ICT) resources provided to council members. It does not; however, affect whether what you've said is acceptable or not. In the same way that posting material after hours will not always protect you, neither will using your own equipment.

Having said that, remember that any material posted or sent from ICT devices provided by your council may be accessed by the council. This right to access any material received or created by you when performing your duties as a council member is established in law through the council's obligations under the following legislation:

- *Local Government Act 2019*
- *Information Act 2002*
- *Anti-Discrimination Act 1992 (NT)*
- *Defamation Act 2006.*

Use of your council's ICT equipment must be in line with your council's policies and procedures.

Why can't I rely on privacy settings on my social media platforms?

It is prudent to restrict the publication of your comments to those people who you actually want to see the comments.

You can set the privacy settings as high as you like. But it is not a complete protection, and it is a bad idea to rely on it. It will not stop another person deciding that something you wrote is particularly funny or insightful, taking a screenshot, and making it available for everyone to see.

What about 'liking', sharing and reposting?

If you 'like' something on a social media platform, it will generally be taken to be an endorsement of that material as though you had created that material yourself.

'Sharing' a post has much the same effect. If, however, you are sharing something because you disagree with it and want to draw it to someone else's attention, make sure that you make that clear at the time in a way that

Personal use of social media

does not breach the Code of Conduct. It may not be enough to select the 'angry face' icon, especially if you are one of thousands that have done so.

If my social media pages are locked to friends only but one of my friends reposts one of my posts, could this be a breach?

Yes. The breach occurs at the time you made your post. The fact that one of your friends chose to repost it does not create the breach, it just makes it easier to identify.

Public comment includes anything that you say in public or which ends up in public. This can include something you have said or written to one person. If your comment has an audience, or a recipient, it is a public comment.

Will I breach the Code of Conduct if I send content in a private email to a friend?

Potentially, yes. There is nothing to stop your friend forwarding the email or taking a screenshot of it, including your personal details, and sending it to other people or posting it all over the internet. Again, the breach of the Code of Conduct is not in their subsequent publication of your material, but in your emailing that material in the first place.

Am I responsible for nasty comments made by someone else on my social media pages?

Doing nothing about objectionable material that someone else has posted on your page can be seen in some circumstances as your endorsement of that material. If someone does post material of this kind, it may be sensible to delete it or make it plain that you do not agree with it or support it.

Any breach of the Code of Conduct would not come from the person making the post. It would come from how you reacted to it.

Is it okay to share a petition about a political topic?

It depends. The factors affecting this judgment might include the subject of the petition, or the terms in which it is expressed. The principles set out elsewhere in this guide and in your council's policies may help you come to a view in each case.

In any case, if a council member has been actively involved in a petition or has been a signatory to the petition, the council member will have a conflict of interest to disclose when the petition is presented to the council for consideration.

Is posting to a closed mailing list making a public comment?

Yes. The same principles apply in this case as posting to locked social media pages or sending private emails.

What about just joining a Facebook group (or similar)?

People will draw conclusions about you from a range of factors. This can include the nature of any online communities that you join.

Can I post comments about politics, issues and events in other council areas?

Usually, yes, but the same concerns still apply. For example, council members may be seen to be commenting on behalf of their council and should exercise sensible care in their comments.

You should think carefully before making comments about politics, issues and events in other council areas that might lead others to thinking less of your council.

Personal use of social media

What about posts or comments I have made in the past prior to becoming a council member?

These principles do not apply to posts made prior to you becoming a council member. However past posts could still affect the council's or your reputation, therefore it would be best to consider the appropriateness of your past posts on any social media accounts and remove any posts that are not appropriate.

If I resign from being a council member, am I free to post anything I want?

Former council members continue to remain bound by a duty of confidentiality in respect of information obtained in confidence during their time as a council member and cannot use the information to gain a benefit or cause harm to another. You should think about whether something you wish to post after leaving your council role might breach this duty.



A Place for People

14.2.2 Department of Territory Families, Housing and Communities - Transfer of Public Housing Tenancies to Community Housing Provider

THAT correspondence dated 23 April 2024 14.2.2 entitled Department of Territory Families, Housing and Communities - Transfer of Public Housing Tenancies to Community Housing Provider be received and noted.



Department of
**TERRITORY FAMILIES,
HOUSING AND COMMUNITIES**

Office of the Chief Executive
Level 7, Darwin Plaza
41 Smith Street Mall
DARWIN NT 0800

Postal address
PO Box 37037
WINNELLIE NT 0821

E emma.white@nt.gov.au

T 08 8999 2749

File reference: HCD2023/08727-10

Mr Luccio Cercarelli
Chief Executive Officer
City of Palmerston
GPO Box 1
PALMERSTON NT 0831

Via email: luccio.cercarelli@palmerston.nt.gov.au

Dear Mr Cercarelli,

MANAGEMENT TRANSFER OF PUBLIC HOUSING TENANCIES TO COMMUNITY HOUSING PROVIDER

I write to inform you that the Department of Territory Families, Housing and Communities (the Department) is planning to transfer 100 public housing dwellings in Woodroffe and Gray to a Community Housing Provider (CHP) in the coming months.

This initiative is delivering the Northern Territory Government's vision of creating a new beginning for social and affordable housing in the Territory, including our commitment to grow the community housing sector.

There are currently 17 registered CHPs in the Northern Territory, collectively managing more than 1,250 properties under the National Regulatory System for Community Housing.

The Department will ensure the City of Palmerston is informed throughout this process.

This is an exciting new area of partnership with the potential to deliver significant benefits to social and affordable housing tenants and the residents of Woodroffe and Gray.

If you have any questions, please contact Brent Warren, Deputy Chief Executive Office Housing on 8999 2817 or brent.warren@nt.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Emma White".

Emma White
Chief Executive Officer

23 April 2024

A Place for People

15 REPORT OF DELEGATES

16 QUESTIONS BY MEMBERS

17 GENERAL BUSINESS

18 NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday, 21 May 2024 at 5:30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

19 CLOSURE OF MEETING TO PUBLIC

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.

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON



MINUTES

2nd Ordinary Council Meeting Tuesday 16 April 2024

The Ordinary Meeting of the City of Palmerston held in the Gray Community Hall, Gray.

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

'A Place for People'



A Place for People

COUNCIL MINUTES

Minutes of Council Meeting
held in Gray Community Hall, Gray, Palmerston
on Tuesday 16 April 2024 at 5:30pm.

PRESENT

ELECTED MEMBERS

Mayor Athina Pascoe-Bell (Chair)
Deputy Mayor Ben Giesecke
Councillor Danielle Eveleigh
Councillor Lucy Morrison (*Via Audio/Audiovisual*)
Councillor Mark Fraser
Councillor Sarah Henderson

STAFF

Chief Executive Officer, Luccio Cercarelli
Deputy Chief Executive Officer, Amelia Vellar
General Manager Infrastructure, Nadine Nilon
Acting General Manager Finance and Governance, Lisa Blakely
Acting General Manager Community, Emma Blight
Minute Secretary, Jodi Holden

GALLERY

Seven members of the public

Initials: _____

MINUTES ORDINARY COUNCIL MEETING - 16 APRIL 2024

11304



A Place for People

COUNCIL MINUTES

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

Nil

3.3 Leave of Absence Request

Moved: Councillor Fraser
Seconded: Councillor Henderson

1. THAT the leave of absence received from Councillor Garden for 25 March to 16 April 2024 inclusive be received and noted.
2. THAT the leave of absence received from Councillor Morrison for 15 April to 21 April 2024 inclusive be received and noted.
3. THAT the leave of absence received from Councillor Hale for 15 April to 18 April 2024 inclusive be received and noted.
4. THAT the leave of absence received from Deputy Mayor Giesecke for 22 April 2024 inclusive be received and noted.

CARRIED 10/1282 – 16/04/2024

4 REQUEST FOR AUDIO/AUDIOVISUAL CONFERENCING

Moved: Councillor Fraser
Seconded: Councillor Eveleigh

THAT Council note Councillor Morrison will be physically prevented from attending the meeting on 16 April 2024 due to being a greater distance than 100km from the appointed place of meeting and the request for Audio/Audiovisual Conferencing has been approved by the Chief Executive Officer in accordance with the Policy.

CARRIED 10/1283 – 16/04/2024

Initials: _____

MINUTES ORDINARY COUNCIL MEETING - 16 APRIL 2024

11305



A Place for People

COUNCIL MINUTES

5 DECLARATION OF INTEREST

5.1 Elected Members

Moved: Councillor Eveleigh
Seconded: Councillor Henderson

1. THAT the Declaration of Interest received from Councillor Eveleigh for Item 25.1.1 be received and noted.
2. THAT the Declaration of Interest received from Councillor Eveleigh for Item 25.2.2 be received and noted.

CARRIED 10/1284 - 16/04/2024

5.2 Staff

Nil

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Councillor Eveleigh
Seconded: Councillor Henderson

THAT the Minutes of the Council Meeting held on 2 April 2024 pages 11294 to 11300 be confirmed.

CARRIED 10/1285 - 16/04/2024

6.2 Business Arising from Previous Meeting

Nil

7 MAYORAL REPORT

Moved: Mayor Pascoe-Bell
Seconded: Councillor Henderson

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

CARRIED 10/1286 - 16/04/2024

8 DEPUTATIONS AND PRESENTATIONS

Nil

9 PUBLIC QUESTION TIME (WRITTEN SUBMISSIONS)

Nil

Initials: _____

MINUTES ORDINARY COUNCIL MEETING - 16 APRIL 2024

11306



A Place for People

COUNCIL MINUTES

10 CONFIDENTIAL ITEMS

10.1 Moving Confidential Items into Open

10.1.1 Swimming, Wellness, Events, Leisure and Lifestyle (SWELL) Contingency Funds

Moved: Councillor Henderson
Seconded: Deputy Mayor Eveleigh

1. THAT Report entitled Swimming, Wellness, Events, Leisure and Lifestyle (SWELL) Contingency Funds be received and noted.
2. THAT Council approves the utilization of the Major Initiatives Reserve, to a maximum value of \$700,000 inclusive of previous approved allocations, as contingency for the construction of the Swimming, Wellness, Events, Leisure, and Lifestyle project.
3. THAT this decision is moved into open at the completion of the project.

CARRIED 10/935 - 18/07/2023

10.1.2 SWELL Contingency Funds October 2023

Moved: Councillor Garden
Seconded: Deputy Mayor Eveleigh

1. THAT Report entitled SWELL Contingency Funds October 2023 be received and noted.
2. THAT Council approves an additional \$400,000 contingency, to a total contingency of \$1.1 million, for the construction of the Swimming, Wellness, Events, Leisure, and Lifestyle project, with funding to be sourced from the Major Initiatives Reserve or Working Capital Reserve as required, with final allocations to be presented at the second quarter budget review.
3. THAT this decision is moved into open at the completion of the project.

CARRIED 10/1071 - 17/10/2023

10.2 Moving Open Items into Confidential

Nil

10.3 Confidential Items

Moved: Councillor Eveleigh
Seconded: Deputy Mayor Giesecke

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
------	-----------------------	---------------------

Initials: _____



A Place for People

COUNCIL MINUTES

25.1.1	Election Preparation	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.
25.1.2	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.
25.2.1	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)(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 disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.
25.2.2	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. 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. 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.

CARRIED 10/1287 – 16/04/2024

Initials: _____

MINUTES ORDINARY COUNCIL MEETING - 16 APRIL 2024

11308



A Place for People

COUNCIL MINUTES

11 PETITIONS

Nil

12 NOTICES OF MOTION

Nil

13 OFFICER REPORTS

13.1 Action Reports

Change Order of Business

Moved: Councillor Fraser
Seconded: Councillor Henderson

THAT Council change the order of business to consider confidential items 25.1.1 and 25.2.2 prior to item 13.1.1.

CARRIED 10/1288 - 16/04/2024

Close Meeting to Public to consider confidential items

Moved: Councillor Morrison
Seconded: Councillor Henderson

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 10/1289 - 16/04/2024

Meeting moved to Confidential at 5.41pm.

Return to Open Meeting

Moved: Councillor Henderson
Seconded: Mayor Pascoe-Bell

THAT Council move to return to the Open Meeting at 5.53pm.

CARRIED 10/1292 - 16/04/2024

The meeting returned to Open at 5.53pm

13.1.1 Inquiry into Local Government Sustainability

Moved: Councillor Henderson
Seconded: Deputy Mayor Giesecke

Initials: _____

MINUTES ORDINARY COUNCIL MEETING - 16 APRIL 2024

11309



A Place for People

COUNCIL MINUTES

1. THAT Report entitled Inquiry into Local Government Sustainability be received and noted.
2. THAT a Report be provided to Council regarding a City of Palmerston submission to the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport Inquiry into Local Government Sustainability prior to the closing date for submissions.

CARRIED 10/1293 – 16/04/2024

13.1.2 Second Budget Review 2023/24

Moved: Councillor Henderson
Seconded: Deputy Mayor Giesecke

1. THAT Report entitled Second Budget Review 2023/24 be received and noted.
2. THAT Council adopts the Second Budget Review 2023-24, pursuant to Regulation 9 of the *Local Government (General) Regulations 2021* as presented in **Attachment 13.1.2.1** to report Second Budget Review 2023/24.
3. THAT Council adopts the following reserve movements:
 - a. Transfer a total of \$1,248,366 to the Working Capital Reserve of which \$148,366 relates Artworks and Sculpture (Creative Industries), \$350,000 relates to New Community Hall and \$750,000 relates to the ERP IT review which will be transferred from Working Capital reserve on 1 July 2024.
 - b. Transfer a total of \$989,924 of which \$892,839 is from Major Capital Initiatives and \$97,086 from Working Capital reserve to increase Capital Expenditure for SWELL Construction variation.

CARRIED 10/1294 – 16/04/2024

13.1.3 Community Safety Advisory Committee Minutes - 26 March 2024

Moved: Councillor Morrison
Seconded: Councillor Henderson

1. THAT Report entitled Community Safety Advisory Committee Minutes - 26 March 2024 be received and noted.
2. THAT the unconfirmed Community Safety Advisory Committee minutes provided as **Attachment 13.1.3.1** to report entitled Community Safety Advisory Committee Minutes - 26 March 2024 be received and noted.
3. THAT Council endorse the recommendations within the respective minutes from the Community Safety Advisory Committee being:
 - a. THAT Council endorse the reviewed Terms of Reference for the Community Safety Advisory Committee as **Attachment 13.1.3.3**.
4. THAT Council endorse the Community Safety Advisory Committee Meeting schedules as follows:

Initials: _____

MINUTES ORDINARY COUNCIL MEETING - 16 APRIL 2024

11310



A Place for People

COUNCIL MINUTES

- a. 5.30pm Tuesday 14 May 2024 in Council Chambers
- b. 5.30pm Tuesday 13 August 2024 in Council Chambers
- c. 5.30pm Tuesday 12 November 2024 in Council Chambers

CARRIED 10/1295 – 16/04/2024

13.1.4 Community Wellbeing Advisory Committee Minutes - 27 March 2024

Moved: Deputy Mayor Giesecke
Seconded: Councillor Fraser

1. THAT Report entitled Community Wellbeing Advisory Committee Minutes - 27 March 2024 be received and noted.
2. THAT the unconfirmed Community Wellbeing Advisory Committee Meeting Minutes provided as **Attachment 13.1.4.1** to report entitled Community Wellbeing Advisory Committee Minutes - 27 March 2024 be received and noted.
3. THAT Council endorse the recommendations within the respective minutes from the Community Wellbeing Advisory Committee being:
 - a. THAT Council endorse the reviewed Terms of Reference for the Community Wellbeing Advisory Committee as **Attachment 13.1.4.3**.
4. THAT Council endorse the Community Wellbeing Advisory Committee Meeting schedule as follows:
 - a. 5.30pm Thursday 13 June 2024 in Council Chambers
 - b. 5.30pm Thursday 12 September 2024 in Council Chambers
 - c. 5.30pm Thursday 5 December 2024 in Council Chambers

CARRIED 10/1296 – 16/04/2024

13.1.5 Project Proposal for Community Energy Upgrade Fund

Moved: Councillor Henderson
Seconded: Deputy Mayor Giesecke

1. THAT Report entitled Project Proposal for Community Energy Upgrade Fund be received and noted.
2. THAT Council approve the submission of an application for a grant under the Australian Government Community Energy Upgrades Fund to co-fund the installation of energy efficiency and sustainability projects as identified within Report entitled Project Proposal for Community Energy Upgrade Fund with Council's contribution to be funded from the Working Capital Reserve.
3. THAT Council approve the movement of \$500,000 from the Working Capital Reserve subject to a successful City of Palmerston, Australian Government Community Energy Upgrades Fund partnership application.

CARRIED 10/1297 – 16/04/2024

Initials: _____

MINUTES ORDINARY COUNCIL MEETING - 16 APRIL 2024

11311



A Place for People

COUNCIL MINUTES

13.2 Receive and Note Reports

13.2.1 People and Place Quarterly Report January - March 2024

Moved: Councillor Henderson
Seconded: Mayor Pascoe-Bell

THAT Report entitled People and Place Quarterly Report January - March 2024 be received and noted.

CARRIED 10/1298 - 16/04/2024

13.2.2 Community Benefit Scheme - March Update

Moved: Deputy Mayor Giesecke
Seconded: Councillor Fraser

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

CARRIED 10/1299 - 16/04/2024

13.2.3 Financial Report for the Month of March 2024

Moved: Councillor Fraser
Seconded: Councillor Henderson

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

CARRIED 10/1300 - 16/04/2024

13.2.4 Finance and Governance Quarterly Report January - March 2024

Moved: Deputy Mayor Giesecke
Seconded: Councillor Henderson

THAT Report entitled Finance and Governance Quarterly Report January - March 2024 be received and noted.

CARRIED 10/1301 - 16/04/2024

13.2.5 Major Capital Projects Update - April 2024

Moved: Councillor Fraser
Seconded: Deputy Mayor Giesecke

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

CARRIED 10/1302 - 16/04/2024

Initials: _____

MINUTES ORDINARY COUNCIL MEETING - 16 APRIL 2024

11312



A Place for People

COUNCIL MINUTES

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 Henderson

THAT the next Ordinary Meeting of Council be held on Tuesday, 7 May 2024 at 5:30pm in the Council Chambers, Civic Plaza, 1 Chung Wah Terrace, Palmerston.

CARRIED 10/1303 - 16/04/2024

19 CLOSURE OF MEETING TO PUBLIC

Moved: Councillor Fraser
Seconded: Deputy Mayor 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 10/1304 - 16/04/2024

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

Moved: Councillor Fraser
Seconded: Councillor Henderson

THAT the meeting be adjourned for 30 minutes.

CARRIED 10/1305 - 16/04/2024

Initials: _____

MINUTES ORDINARY COUNCIL MEETING - 16 APRIL 2024

11313



A Place for People

COUNCIL MINUTES

The meeting adjourned at 6.23pm.

The open section of the meeting closed at 6.23pm for the discussion of confidential matters.

Councillor Eveleigh returned to the meeting at 6.50pm.

The closed section of the meeting reopened at 6.50pm.

The Chair declared the meeting closed at 6.55pm.

Chair

Print Name

Date

UNCONFIRMED

Initials: _____