

## CITY OF PALMERSTON

**Minutes of Council Meeting  
held in Council Chambers  
Civic Plaza, Palmerston  
on Tuesday 18 July 2017 at 6.30pm.**

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Mark Blackburn  
Official Manager

*Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.*

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### Audio Disclaimer

An audio recording of this meeting is being made for minute taking purposes as authorised by City of Palmerston Policy MEE3 Recording of Meetings, available on Council's Website.

### Acknowledgement of Traditional Ownership

*I respectfully acknowledge the past and present Traditional Custodians of this land on which we are meeting, the Larrakia people. It is a privilege to be standing on Larrakia country.*

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## 1 PRESENT

Elected Members:	Mark Blackburn, Official Manager
Staff:	Ricki Bruhn, Chief Executive Officer Mark Spangler, Director of Technical Services Jan Peters, Director of Community Services Alyce Breed, Minute Secretary Samantha Abdic, Media Officer
Gallery:	Russell Anderson, Investigator Ian Abbott 3 members of the public

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## 2 APOLOGIES

Nil.

### 3 CONFIRMATION OF MINUTES

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1. THAT the minutes of the Council Meeting held Tuesday, 4 July 2017 pages 9296 to 9303, be confirmed subject to the following additions:

Minute Book Page Number 9301 includes –

*Donald Young of Bellamack asked “In terms of the consultation for the budget that is available at the moment, if there are significant changes that you as the manager make following the closure of the consultation, does that mean you will put out a second proposed budget for consultation?”*

*The Manager responded “At this point in time the proposal is that the Municipal Plan is out for consideration, the submissions will come in, based on the submissions that come in then I will be required to make a decision on that budget. As you are aware during the course of the year there are opportunities to review and revise the budget on a quarterly basis of which has happened in the past at this particular Council. My intent is to endeavour to get a budget in place prior to the community consultation. As you’d be aware there is a requirement under the Local Government Act to have that budget in place by the 31 July and I will be working towards achieving that particular initiative.”*

*Tricia Rudd from Driver asked “Does the scope of the investigation include the administrative staff of Council?”*

*The Manager responded “I’m appointed as the Manager to oversee the governance of the Council itself. There is an investigator who has been appointed, Russell Anderson, and he is to review all of the Councils functions, financials, government structures and performance of this particular Council which does address the administration of Council.”*

2. THAT the Confidential minutes of the Council Meeting held Tuesday, 4 July 2017 pages 328 to 329, be confirmed.

CARRIED 8/2782 – 18/07/2017

### 4 OFFICIAL MANAGER’S REPORT

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M8-1

THAT Council receives Report Number M8-1.

CARRIED 8/2783 – 18/07/2017

### 5 REPORT OF DELEGATES

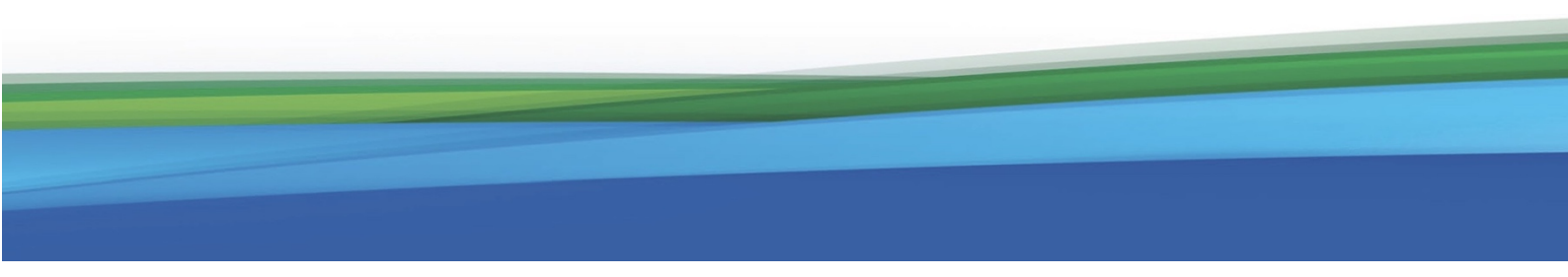
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Nil.

### 6 QUESTIONS (WITHOUT DEBATE) FOR WHICH NOTICE HAS BEEN GIVEN

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Nil.



## **7 QUESTIONS (WITHOUT DEBATE) FOR WHICH NOTICE HAS NOT BEEN GIVEN**

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### **7.1 Street Parking Meters**

THAT the question and response be included in the minutes.

**CARRIED 8/2784 – 18/07/2017**

The Manager asked “Under what legislation is the City of Palmerston able to establish paid on and off street parking meters?”

The Director of Technical Services responded “Council is currently authorised by rule 207 of the Australian Road Rules, section 13 of the Traffic Act, regulation 47 of the Traffic Regulations and clause 2 of the Palmerston (Charges) By-laws, to establish paid on-street and off-street parking areas by way of erecting traffic control devices for this purpose (including installing parking meters and/or ticket vending machines and parking bays), to determine the parking fees and, to enforce a failure to pay the required fee by way of issuing a parking infringement.”

## **8 PETITIONS**

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Nil.

## **9 DEPUTATIONS/PRESENTATIONS**

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Nil.

## **10 CONSIDERATION OF MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN**

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### **10.1 Notice of Motion – Revoke of Decision Number 8/2736**

THAT the Chief Executive Officer be required to include in the Municipal Plan a staffing plan that provides details of:

- A total annual budget for employee costs and an approved establishment full time equivalent (FTE) of staff noting that short-term projects may temporarily change the actual FTE.

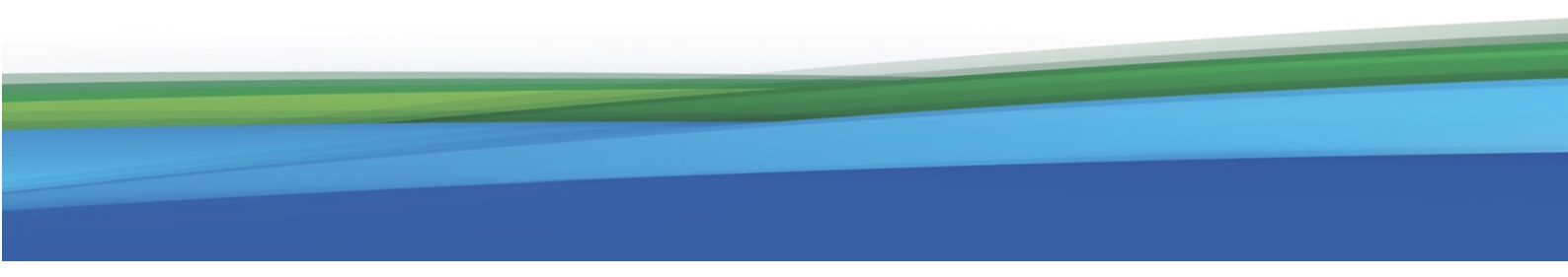
**CARRIED 8/2785 – 18/07/2017**

### **10.2 Notice to Rescind – Action Report**

THAT Council rescind Resolution Number 8/2628, which states the following:

- THAT a briefing be provided on all items contained in the Action Report at the 1<sup>st</sup> Ordinary Meeting of each month.

**CARRIED 8/2786 – 18/07/2017**



**10.3 Notice to Rescind – Council Decisions**

THAT Council rescind Resolution Number 8/0615, which states the following:

- THAT Council provide the Palmerston Sun a report detailing all decisions from motions tabled by Council and Committees, excluding receive and note reports. The report should include the decision, the outcome and where a division was called how the vote was carried. This information shall be published in a minimum half page advertisement in the next available issue.

**CARRIED 8/2787 – 18/07/2017**

**10.4 Notice to Rescind – Staff Structure**

THAT Council rescind Resolution Number 8/2736, which states the following:

- THAT a staffing plan policy be brought to Council with the following inclusions:
  - o The term staffing plan includes but is not limited to an organisational chart of positions and a functional chart of services;
  - o A staffing plan includes:
    - A hierarchical diagram or tree depicting all positions and services of Council;
    - The relationship between subordinate and supervising staff from the CEO down;
    - The designation or pay level of each position.
  - o THAT variations to the staffing plan is presented to Council for approval, with reason for the request to vary;
  - o The CEO may only recruit in accordance with the staffing plan;
  - o The CEO has the staffing plan available online.

**CARRIED 8/2788 – 18/07/2017**

**11 COMMITTEE RECOMMENDATIONS**

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**11.1 Governance and Organisation**

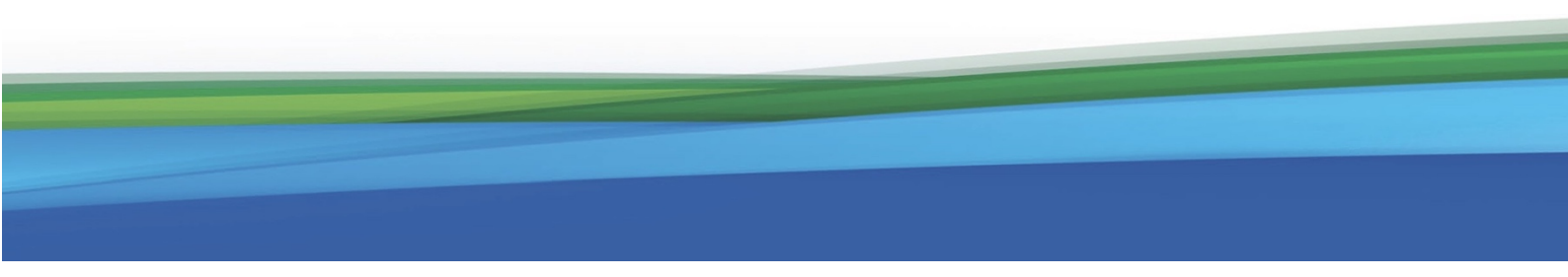
Nil.

**11.2 Economic Development and Infrastructure**

Nil.

**11.3 Community Culture and Environment**

Nil.



## 12 INFORMATION AGENDA

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### 12.1 Items for Exclusion

Nil.

### 12.2 Receipt of Information Reports

THAT the information items contained within the Information Agenda, be received.

CARRIED 8/2789 – 18/07/2017

## 13 DEBATE AGENDA

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### 13.1 Officer Reports

#### 13.1.1 Proposed Permanent Closure of a Section of the Wallaby Holtze Road Reserve 8/1231

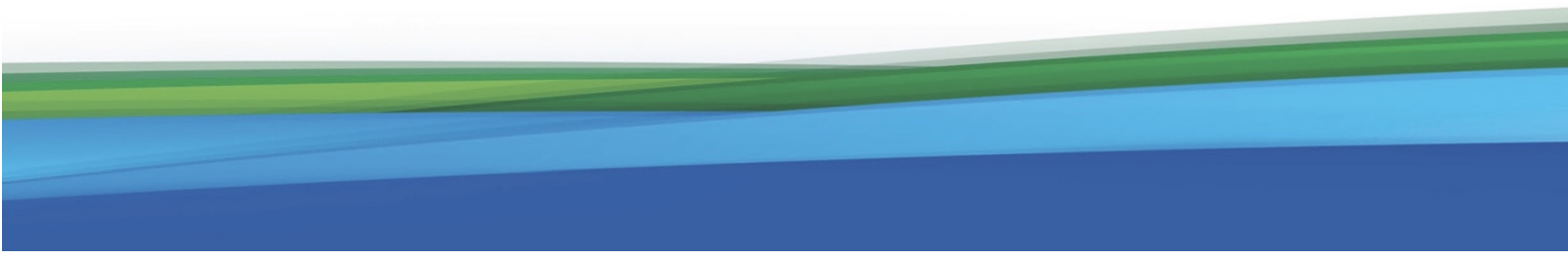
1. THAT Council receives Report Number 8/1231.
2. THAT Council approve the Mayor writing to the Minister responsible for the administration of the Local Government Act seeking the consent of the Minister to the road closure of the unmade section of Wallaby Holtze Road (between the Stuart Highway and the intersection with Yarrawonga Road) in Yarrawonga north.
3. THAT the Mayor and Chief Executive Officer be authorised to sign and seal documentation to permanently close the unmade section of Wallaby Holtze Road (between the Stuart Highway and the intersection with Yarrawonga Road) in Yarrawonga north after receiving written consent for the closure from the Minister.

CARRIED 8/2790 – 18/07/2017

#### 13.1.2 Closure of Durack Drive, Archer 8/1232

1. THAT Council receives Report Number 8/1232.
2. THAT Council approve the Mayor writing to the Minister responsible for the administration of the *Local Government Act* seeking the consent of the Minister to the road closure.
3. THAT the Mayor and Chief Executive Officer be authorised to sign and seal documentation to permanently close Durack Drive, Archer after receiving written consent for the closure from the Minister.

CARRIED 8/2791 – 18/07/2017



13.1.3 Creating of Electricity Supply Easement over Lot 12817, Town of Palmerston 8/1233

1. THAT Council receives Report Number 8/1233.
2. THAT Council delegate authority to the Mayor and Chief Executive Officer to sign and seal the relevant survey documents to enable the creation of the Council Electrical Supply Easement.

CARRIED 8/2792 - 18/07/2017

#### 13.1.4 TS2017/05 – Playground Refurbishment Various Locations 8/1234

1. THAT Item TS2017/05 – Playground Refurbishment Various Locations be retrieved from the table.

CARRIED 8/2793 - 18/07/2017

2. THAT Council receives Report Number 8/1234.
3. THAT Council award contract TS2017/05 – Playground Refurbishment Various Locations to Adventure Plus for the amount of \$180,000 (GST exclusive).
4. THAT the Mayor and Chief Executive Officer are granted consent to sign and seal all required contract documentation for the contract TS2017/05 – Playground Refurbishment Various Locations.

CARRIED 8/2794 - 18/07/2017

13.1.5 Yarrowonga and Wallaby Holtze Roads Upgrade Progress 8/1235

1. THAT Council receives Report Number 8/1235.
2. THAT Council not accept any tender for TS2017/06 Yarrawonga and Wallaby Holtze Road Upgrade.
3. THAT Yarrawonga Road and Wallaby Holtze Road Stage 1 be retendered under the budget approved by Council decision number 8/2651 – 16/05/2017 as currently designed.

CARRIED 8/2795 - 18/07/2017

13.1.6 Acquittal of Special Purpose Grant – Towards the Purchase of Furniture for Art/Community Centre 8/1238

1. THAT Council receives Report Number 8/1238.
2. THAT Council approves the 2016/2017 Acquittal of Special Purpose Grant – Towards the Purchase of Furniture for Art/Community Centre

CARRIED 8/2796 - 18/07/2017

**13.1.7 Financial Support – Palmerston Place-Making Projects – Gray Community Garden Inc 8/1240**

1. THAT Council receives Report Number 8/1240.
2. THAT Council approve the grant to Gray Community Garden Inc. to the value of \$4,800.

**CARRIED 8/2797 – 18/07/2017**

**13.1.8 Reboot your Loot – Car Boot Sale and Garage Sale Trail 8/1241**

1. THAT Council receives Report Number 8/1241.
2. THAT Council approve City of Palmerston hold a 'Reboot your Loot' – car boot sale on Saturday 12 August at Civic Plaza car park.
3. THAT Council approve participation in the National Garage Sale Trail on 21 October 2017.

**CARRIED 8/2798 – 18/07/2017**

**13.1.9 Financial Support – Cat Desexing Programs Applications Progress 8/1242**

THAT Council receives Report Number 8/1242.

**CARRIED 8/2799 – 18/07/2017**

**13.1.10 Shakespeare Event Review 8/1243**

THAT Council receives Report Number 8/1243.

**CARRIED 8/2800 – 18/07/2017**

**13.1.11 Community Benefits Scheme June 2017 8/1245**

THAT Council receives Report Number 8/1245.

**CARRIED 8/2801 – 18/07/2017**

**13.1.12 Review FIN04 Procurement Policy 8/1247**

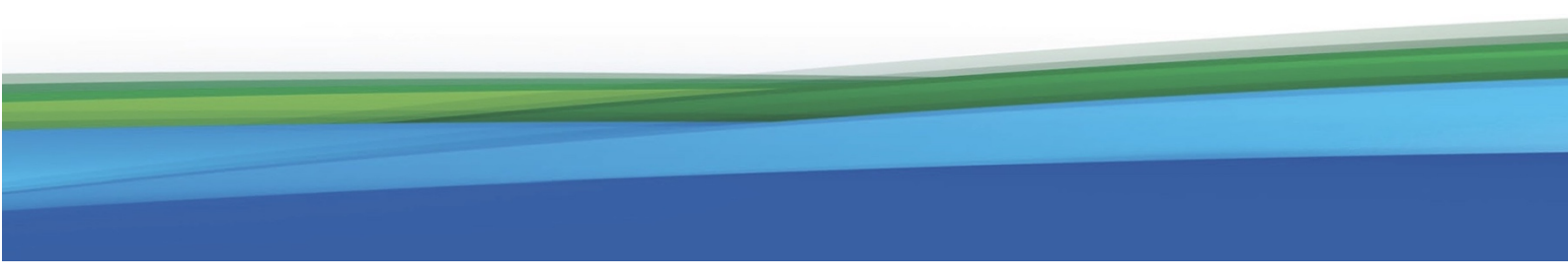
1. THAT Council receives Report Number 8/1247.
2. THAT Council adopt the amended FIN04 Procurement Policy.

**CARRIED 8/2802 – 18/07/2017**

**13.1.13 Financial Report for the Month of June 2017 8/1248**

THAT Council receives Report Number 8/1248.

**CARRIED 8/2803 – 18/07/2017**



13.1.14 Fees and Charges 2017/2018

8/1249

1. THAT Council receives Report Number 8/1249.
2. THAT Council adopt the schedule of Fees and Charges for 2017/2018.

CARRIED 8/2804 – 18/07/2017

13.1.15 Draft Municipal Plan and Budget 2017/2018 Consultation Period

8/1255

1. THAT Council receives Report Number 8/1255.
2. THAT a Special Meeting of Council be held on Tuesday, 25 July 2017 at 6.00pm.

CARRIED 8/2805 – 18/07/2017

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**14** CORRESPONDENCE

Nil.

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**15** RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

15.1 Response to Previous Public Questions from Council Meeting held on 4 July 2017 8/1254

THAT Council receives Report Number 8/1254.

CARRIED 8/2806 – 18/07/2017

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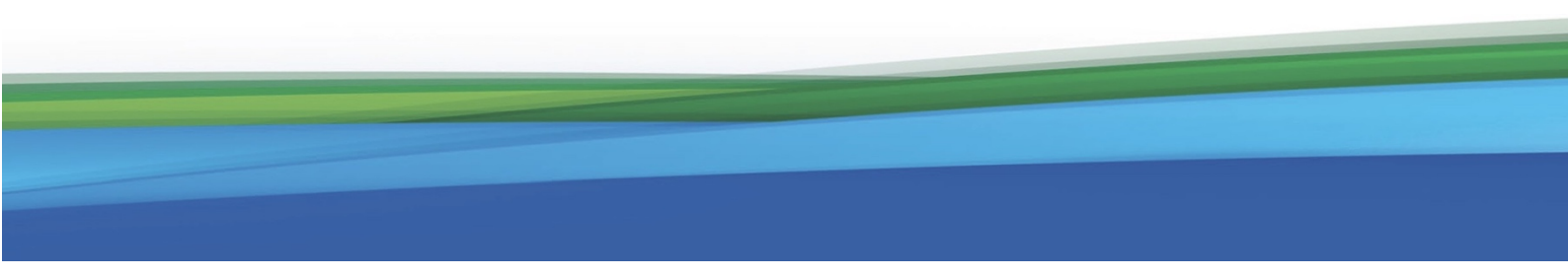
**16** PUBLIC QUESTION TIME

Nil.

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**17** OTHER BUSINESS

Nil.





**18** CONFIDENTIAL REPORTS**18.1 Confidential Action Report**

8/1229

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director of Technical Services, Director of Community Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report in relation to confidential agenda item 18.4 Confidential Action Report and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

(e) information provided to the council on condition that it be kept confidential.

This item is considered confidential pursuant to Regulation 8 (e) of the Local Government (Administration) Regulations.

2. THAT Council orders that the report from the Confidential Council Meeting held on 18 July 2017 in relation to item number 18.4 Confidential Action Report remain confidential and not available for public inspection.

**18.2 Financial Hardship Application - 102837**

8/1252

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director of Technical Services, Director of Community Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report and associated documents in relation to confidential agenda item 18.2 Financial Hardship Application - 102837 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

(b) information about the personal circumstances of a resident or ratepayer;

This item is considered confidential pursuant to Regulation 8 (b) of the Local Government (Administration) Regulations.

2. THAT Council orders that the minutes from the Confidential Council meeting held on 18 July 2017, in relation to confidential item number 18.2 Financial Hardship Application - 102837, the report and associated documents remain confidential and not available for public inspection for a period of 12 months from the date of this meeting or a lesser period as determined by the Chief Executive Officer.

## 18.3 Financial Hardship Application - 100767

8/1253

1. THAT pursuant to Section 65 of the Local Government Act, Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director of Technical Services, Director of Community Services and Minute Secretary on the basis that Council considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider the report and associated documents in relation to confidential agenda item 18.3 Financial Hardship Application - 100767 and that Council is satisfied that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving, considering and discussing the report and associated documentation involves:

(b) information about the personal circumstances of a resident or ratepayer;

This item is considered confidential pursuant to Regulation 8 (b) of the Local Government (Administration) Regulations.

2. THAT Council orders that the minutes from the Confidential Council meeting held on 18 July 2017, in relation to confidential item number 18.3 Financial Hardship Application - 100767, the report and associated documents remain confidential and not available for public inspection for a period of 12 months from the date of this meeting or a lesser period as determined by the Chief Executive Officer.

CARRIED 8/2807 - 18/07/2017

The meeting moved into the Confidential Session at 7:16pm.

## 18.4 Moving decisions from the Confidential Session into the Open Session

In accordance with the resolutions of the Council, the following decisions from the Confidential Session are moved into the Open Session:

## 4.2 Financial Hardship Application - 102837

8/1252

1. THAT Council receives Report Number 8/1252.
2. THAT Council approves remission of interest for the period 1 July 2017 to 30 June 2018 for assessment 102837 under the conditions of the rates concession policy FIN17.
3. THAT the resolutions only come back to the open session.

## 4.3 Financial Hardship Application - 100767

8/1253

1. THAT Council receives Report Number 8/1253.
2. THAT Council approves remission of interest for the period 1 July 2017 to 30 June 2018 for assessment 100767 under the conditions of the rates concession policy FIN17.
3. THAT the resolutions only come back to the open session.

## 19 CLOSURE

Meeting closed at 7.21pm

