



# COUNCIL MINUTES

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## LITCHFIELD COUNCIL MEETING

**Minutes of Meeting**  
**held in the Council Chambers, Litchfield**  
**on Wednesday, 17 January 2018 at 6:33pm**

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<b>Present</b>	Maree Bredhauer	Mayor
	Kirsty Hunt	Deputy Mayor / Councillor East Ward
	Doug Barden	Councillor South Ward
	Mathew Salter	Councillor North Ward
	Christine Simpson	Councillor Central Ward
<b>Staff</b>	Silke Maynard	Acting Chief Executive Officer
	Wendy Smith	Acting Director Infrastructure and Operations
	David Jan	Governance and Risk Advisor
<b>Public</b>	Gerry Woods	Member for Nelson
	Barbara Crane	Howard Springs
	Maggie O'Dowd	Nightcliff

### **1. OPENING OF THE MEETING**

The Mayor opened the meeting and welcomed members of the public.

The Mayor advised that an audio recording of the meeting will be made for minute taking purposes as authorised by the Chief Executive Officer.

### **2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

On behalf of Council, the Mayor acknowledged the traditional custodians of the land on which the Council meet on. The Mayor also conveyed Council's respect to the Elders past, present and future for their continuing custodianship of the land and the children of the land across generations.

**3. APOLOGIES AND LEAVE OF ABSENCE**

Nil.

**4. DISCLOSURES OF INTEREST**

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

No disclosures of interest were declared.

**5. CONFIRMATION OF MINUTES**

Moved: Deputy Mayor Hunt

Seconded: Cr Simpson

THAT the full minutes of the Council Meeting held 13 December 2017, 10 pages, be confirmed.

**CARRIED-1718/135**

**6. BUSINESS ARISING FROM THE MINUTES**

Moved: Deputy Mayor Hunt

Seconded: Cr Barden

THAT Council receives and notes the Action Sheet.

**CARRIED-1718/136**

**7. PRESENTATIONS**

Nil.

**8. PETITIONS**

Nil

## **9. PUBLIC FORUM**

Comments and questions from the public are paraphrased below.

### **9.1 Gerry Wood (Member for Nelson)– Howard Springs**

The Member for Nelson provided comment on Item 15.7 Library Needs Council Study recommendations, specifically recommendation 3.

The Member for Nelson stated that Council should not take over the library. The library is currently funded by Northern Territory Library Service and the Education Department. He further stated, that it makes good sense that it is a shared library. He also stated, that it does not make any sense that Council would take on something that is already being paid for and will cost rate payers money to maintain.

The Member for Nelson quoted cost to Palmerston Council from the Library Needs Study report, identified people's concerns about rates going up and stated that he does not believe it is an appropriate thing for the Council to take on a service that is already looked after by government and doesn't fit within the core functions that this Council started off with.

The Member for Nelson acknowledged that Council can change core functions over time and adapt.

The Member for Nelson also had concerns that an interstate company was awarded the contract to conduct the survey and he believes that there are a number of local companies that could have done the survey for \$50,000.

The Member for Nelson highlighted the absence of a question asking what ratepayers think about paying for the library. He further stated, that libraries are not used as much as they used to be.

The Member for Nelson further believes that a library is not needed to provide the services highlighted in the justification and he asked Councillors to reconsider the recommendations.

### **9.2 Barbara Crane – Howard Springs**

Ms Crane stated that Council can be more efficient in recycling. She acknowledged that according to figures provided in the meeting agenda Council is doing quite well. Ms Crane highlighted figures from page 70 of the Council agenda.

Ms Crane emphasised departmental figures from the finance report to highlight the cost to Council of its waste management program and the importance of recycling to assist in reducing this cost.

Ms Crane questioned whether the Council still had an education officer for waste management?

Ms Crane also suggested the Council include the waste management figures be included on the Council's website.

Ms Crane noted that about a year or so ago the cost of waste going to landfill at Shoal Bay was increased by about 15%. Ms Crane wished to highlight to Council that the Darwin City Council may continue to increase the landfill fees above CPI.

### **Council Response**

*Mayor Bredhauer confirmed that Council does not currently have a waste management education officer.*

*Mayor Bredhauer informed the meeting that Council has a new Waste Management Strategy about to be released for public consultation, highlighted that a focus of the strategy is on the items that Ms Crane has called for, e.g. a further reduction in waste to landfill and further work on recycling. The strategy sets out actions and plans to achieve this over the next five years.*

*Mayor Bredhauer committed to Ms Crane that she will receive a copy of the strategy as part of the consultation process. Mayor Bredhauer also acknowledged Ms Cranes past and ongoing commitment to improving recycling in the Litchfield Area.*

## **10. ACCEPTING OR DECLINING LATE ITEMS**

Nil.

## **11. NOTICES OF MOTION**

Nil.

## **12. MAYORS REPORT**

Moved: Deputy Mayor Hunt

Seconded: Cr Barden

THAT Council receive and note the Mayor's monthly report.

**CARRIED-1718/137**

### **13. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES**

Councillors appointed by Council to external committees provided an update where relevant.

Moved: Deputy Mayor Hunt  
Seconded: Cr Salter

THAT Council note the Councillors' verbal report.

**CARRIED-1718/138**

### **14. FINANCE REPORT**

#### **14.1 Council Finance Report – 31 December 2017**

Moved: Cr Barden  
Seconded: Cr Salter

THAT Council: receives the Litchfield Council Finance report for the period ended 31 December 2017.

**CARRIED-1718/139**

### **15. OFFICERS REPORTS**

#### **15.1 Community Engagement Strategy and Action Plan 2018 - 2021**

Moved: Deputy Mayor Hunt  
Seconded: Cr Simpson

THAT Council:

1. Adopts the Litchfield Council Community Engagement Strategy and Action Plan 2018 – 2021, and
2. Authorises the Chief Executive Officer to make editorial changes to the Strategy and Action Plan, as required.

**CARRIED-1718/140**

**15.2 Community and Corporate Services Quarterly Performance Report – October – December 2017.**

Moved: Cr Simpson  
Seconded: Cr Barden

THAT Council receives and notes the Community and Corporate Services Quarterly Performance Report for October – December 2017.

**CARRIED-1718/141**

**15.3 Infrastructure and Operations Quarterly Performance Report for October - December 2017.**

Moved: Cr Simpson  
Seconded: Cr Salter

THAT Council receives and notes the Directorate of Infrastructure and Operations Quarterly Performance Report for October to December 2017.

**CARRIED-1718/142**

**15.4 NT Australia Day Council 2018 Annual Event**

Moved: Deputy Mayor Hunt  
Seconded: Cr Simpson

THAT Council:

1. Approves the purchase of two tickets for the Mayor and Deputy Mayor to attend the Australia Day Council 2018 Annual Event – An Evening with Samuel Johnson; and
2. Receives a report on the event at its February 2018 meeting as part of the Mayor's Monthly Report.

**CARRIED-1718/143**

**15.5 2018 National General Assembly of Local Government**

Moved: Cr Barden  
Seconded: Cr Simpson

THAT Council:

1. Notes the upcoming 2018 National General Assembly of Local Government in Canberra from 17 – 20 June; and
2. Approves the Mayor and Chief Executive Officer attending the event.

**CARRIED-1718/144**

**15.6 Council Meeting – June 2018 – Change of Date**

Moved: Cr Barden  
Seconded: Deputy Mayor Hunt

THAT Council:

1. Change the ordinary June Council Meeting scheduled for Wednesday, 20 June 2018 to Wednesday, 27 June 2018 commencing at 6.30pm; and
2. Place a notice in the NT News, on the Council website, on social media and at the council offices advising the public of the changed meeting date.

**CARRIED-1718/145**

## **15.7 Litchfield Library Service Needs Study**

Moved: Deputy Mayor Hunt  
Seconded: Cr Simpson

THAT Council:

1. Receive the Library Services Needs Study;
2. Authorises the Chief Executive Officer to enter into discussions with NTL to investigate funding arrangements for the transfer of the operations and management responsibilities for the library service at Taminmin College to Council;
3. Undertakes its due diligence to fully understand the financial implications of assuming responsibility for a Litchfield library service; and
4. Receive a further report, no later than the April 2018 meeting, on the discussions and due diligence undertaken in regard to a transfer of the responsibility of the public library service to Council.

A Division was called:

For: Mayor Bredhauer  
Deputy Mayor Hunt  
Cr Simpson

Against: Cr Barden  
Cr Salter

**CARRIED-1718/146**

Councillors Simpson and Salter left the meeting at 8:15pm and returned to the meeting at 8:18pm and the chair reconvened the meeting. No business was transacted in this time.

## **15.8 LC55 Grant Application and Management Policy**

Moved: Deputy Mayor Hunt  
Seconded: Cr Simpson

THAT Council rescinds the LC55 Grant Application and Management Policy.

**CARRIED-1718/147**



## **15.9 Administrative Review Committee**

Moved: Cr Barden  
Seconded: Cr Salter

THAT Council:

1. Rescind Council policy LC03 Administrative Review Committee and GOV09 Review of Council Decisions;
2. Approve the Terms of Reference for the Administrative Review Committee;
3. Establishes an Administrative Review of Committee under Section 229 of the Local Government Act; and
4. Appoints Councillor Salter and Councillor Simpson to the Administrative Review Committee in accordance with the Administrative Review Committee Terms of Reference.

**CARRIED-1718/148**

## **15.10 Audio or Audio-visual attendance at Council meetings**

Moved: Deputy Mayor Hunt  
Seconded: Cr Salter

THAT Council rescinds policy LC11 Audio/Audio-visual policy.

**CARRIED-1718/149**

### **15.11 Council Delegations to the Chief Executive Officer**

Moved: Deputy Mayor Hunt  
Seconded: Cr Salter

THAT Council:

1. Revoke all previous delegations to the Chief Executive Officer.
2. Pursuant to Section 32 of the Local Government Act, delegates to the Chief Executive Officer its powers and functions under the Local Government Act and any other Acts under which Council has powers, duties, authorities and functions, with the exception of the following:
  - 2.1 Those matters referred to in Section 32(3) of the Local Government Act;
  - 2.2 Sections 22 and 24 regarding the adoption of the Municipal Plan including the Annual Budget;
  - 2.3 Section 26(2) use of Common Seal requires decision of Council;
  - 2.4 Section 46 appointment to fill casual vacancy on Council;
  - 2.5 Section 49 establishment of Local Boards;
  - 2.6 Section 54 establishment of Council Committees;
  - 2.7 Section 68 calling meetings for elections; and
  - 2.8 Where Council has adopted a Council Policy, delegations are limited as set out in the Policy.
3. Pursuant to Section 112 of the Local Government Act, appoints the Chief Executive Officer as an Authorised Person for the purpose of implementing Council's responsibilities under:
  - 3.1 The Local Government Act;
  - 3.2 Litchfield Council By-laws;
  - 3.3 Northern Territory Traffic Act and associated regulations; and
  - 3.4 Northern Territory Control of Roads Act.
4. Pursuant to Section 32 of the Local Government Act, delegates to the Chief Executive Officer the power and authority to exercise all or any of the powers of Council under all gazetted Litchfield Council By-Laws; and
5. Pursuant to Section 32 of the Local Government Act, limits the power of the Chief Executive Officer to incur financial liabilities on behalf of Council to \$500,000 where provided for in the adopted budget."

**CARRIED-1718/150**

### **15.12 January 2018 Summary Planning and Mining Report**

Moved: Cr Barden  
Seconded: Cr Salter

THAT Council:

1. Receive the January 2018 Summary Planning and Mining Report;
2. Notes for information the responses provided to Development Assessment Services within Attachments A, B, C and D to this report;
3. Notes for information the responses provided for the Department of Primary Industries and Resources within Attachment E to this report.

**CARRIED-1718/151**

### **15.13 Freds Pass Road Submission Place Name Report**

Moved: Cr Simpson  
Seconded: Cr Barden

THAT Council:

1. Resolve to support naming the Public Roads as shown on Attachment A.
2. Provide a letter of comment to the applicant detailing the above resolution to support the naming of the roads of the NT Place Names Committee.

**CARRIED-1718/152**

### **15.14 Infrastructure Policies**

Moved: Cr Simpson  
Seconded: Deputy Mayor Hunt

THAT Council:

1. Rescind LC07 – Road Easement Policy;
2. Rescind LC09 – Waste Management Strategy;
3. Adopt the revised policy INF03 – Roadside Memorials and Roadside Monuments;
4. Rescind LC17 – Land Title Offer Policy;
5. Receive a report on a new policy for Land Acquisition at the March 2018 Council meeting;
6. Rescind LC28 – Rate Payer Contribution Scheme Policy; and
7. Adopt the revised policy INF04 – Place Names.

**CARRIED-1718/153**

**15.15 PA2017/0493, and Exceptional Development Permit Application for leisure and recreation – recreation land-based fishing facility – within an interim Development Control Order area (IDCO 22) at Section 16.12, Berry Springs, Hundreds of Ayers.**

Moved: Deputy Mayor Hunt  
Seconded: Cr Simpson

THAT Council endorse Attachment B, Council's Letter of Comment for PA2017/0493, an Exceptional Development Permit Application for leisure and recreation – recreational land-based fishing facility – within an Interim Development Control Order area (IDCO 22) at Section 1612, Berry Springs, Hundred of Ayers, the assessment of which is summarised above and reviewed in details within the body of this report.

**CARRIED-1718/154**

**15.16 Date Change to February 2018 Ordinary Meeting of Council**

Moved: Deputy Mayor Hunt  
Seconded: Cr Simpson

THAT Council:

1. Changes the date of the Ordinary February 2018 Council Meeting and Thorak Regional Cemetery Board Meeting scheduled for Wednesday 21 February 2018 to Wednesday, 28 February 2018 commencing at 6.30pm; and
2. Places a notice in the NT News, on the council website, on social media and at the Council Offices advising the public of the change of date.

**CARRIED-1718/155**

**16. COMMON SEAL**

Nil

**17. OTHER BUSINESS**

Councillors took the opportunity to ask for project updates which were answered or taken on notice by the Acting CEO.

**18. PUBLIC QUESTIONS**

Nil.

**19. CONFIDENTIAL ITEMS**

Moved: Deputy Mayor Hunt  
Seconded: Cr Salter

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) regulations the meeting be closed to the public to consider the following Confidential Items:

**19.1 Australia Day Awards Recipients – Election Panel Recommendations**

*Regulation 8(b) – information about the personal circumstances of a resident or ratepayer).*

**CARRIED-1718/156**

The meeting was closed to the public at 8.53pm.

Moved: Deputy Mayor Hunt  
Seconded: Cr Barden

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) regulations the meeting be re-opened to the public.

**CARRIED-1718/158**

The meeting moved to the Open Session at 8:55pm.

**20. CLOSE OF MEETING**

The Chair closed the meeting at 8:55pm.

**21. NEXT MEETING**

Wednesday, 28 February, 2018

**MINUTES TO BE CONFIRMED**  
Wednesday, 28 February, 2018

  
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Mayor  
Maree Bredhauer

  
.....  
Chief Executive Officer  
Kaylene Conrick

