



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Meeting

held in the Council Chambers, Litchfield
on Wednesday 16 October 2019 at 6:30pm

Present	Maree Bredhauer Christine Simpson Kirsty Sayers-Hunt Doug Barden Mathew Salter	Mayor Deputy Mayor / Councillor Central Ward Councillor East Ward Councillor South Ward Councillor North Ward
Staff	Daniel Fletcher Nadine Nilon Silke Maynard Wendy Smith Debbie Branson	Chief Executive Officer Director Infrastructure and Operations Director Community & Corporate Services Manager Planning & Development Executive Assistant
Public	Annabel Defina Anthony Dent B Stott J Cole R Lee F Grah G Chapman P Cole Barbara Crane Diana Rickard	Bellamack Roseberry Bees Creek Humpty Doo Virginia Tumbling Waters Humpty Doo Howard Springs Tumbling Waters

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 further disclosures of interest were declared.

5. CONFIRMATION OF MINUTES

Moved: Deputy Mayor Simpson

Seconded: Cr Salter

THAT the minutes (including the Confidential Minutes) of the Council Meeting held 18 September 2019, 14 pages, be confirmed.

CARRIED (5-0)-1920/062

6. BUSINESS ARISING FROM THE MINUTES

Moved: Cr Sayers-Hunt

Seconded: Deputy Mayor Simpson

THAT Council receives and notes the Action List.

CARRIED (5-0)-1920/063

7. PRESENTATIONS

Nil.

8. PETITIONS

Nil.

9. PUBLIC FORUM

9.1 Barbara Crane – Howard Springs

Ms Crane tabled a letter she had sent to Council and advised she had not received a reply. Ms Crane requested Council to display the waste statistics on their website to help promote recycling within the Community to reduce the amount of waste going to the Darwin landfill.

Mayor Bredhauer thanked Ms Crane for her feedback and appreciated her ongoing dedication to recycling.

9.2 Judy Cole – Chair – Freds Pass Recreation Reserve Board

Mrs Coles expressed her concern in relation to the review process.

Mayor Bredhauer thanked Mrs Cole for her comments.

9.3 Diana Rickard – Tumbling Waters

Mrs Rickard advised that Darwin had voted for a Climate Emergency and asked if Litchfield was going to do the same.

Mayor Bredhauer advised the question would be taken on notice.

9.4 Peter Cole – Humpty Doo

Mr Cole asked what the CEO's qualifications were.

Mayor Bredhauer advised the question would be taken on notice.

10. ACCEPTING OR DECLINING LATE ITEMS

Nil.

11. NOTICES OF MOTION

Nil.

12. MAYORS REPORT

Moved: Deputy Mayor Simpson

Seconded: Cr Sayers-Hunt

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

CARRIED (5-0)-1920/064

13. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

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

Moved: Cr Sayers-Hunt
Seconded: Deputy Mayor Simpson

THAT Council note the Councillors' verbal report.

CARRIED (5-0)-1920/065

14. FINANCE REPORT

14.1 Council Finance Report – September 2019

Moved: Cr Barden
Seconded: Cr Salter

THAT Council receives the Litchfield Council Finance report for the period ended 30 September 2019.

CARRIED (5-0)-1920/066

15. OFFICERS REPORTS

15.1 Municipal Plan 2019-20 Quarterly Performance Report July – September 2019

Moved: Cr Barden
Seconded: Cr Sayers-Hunt

THAT Council receives and notes the Municipal Plan 2019-20 Quarterly Performance Report for the period July to September 2019.

CARRIED (5-0)-1920/067

15.2 Dump Point and RV Park Investigation Update

Moved: Cr Barden
Seconded: Deputy Mayor Simpson

THAT Council:

1. receives and notes the update on the investigation of a potential site for a dump point and RV-friendly park within the Municipality; and
2. receives a further update report on potential dump point and RV-friendly sites by March 2020.

CARRIED (5-0)-1920/068

15.3 Risk Management and Audit Committee Minutes September 2019

Moved: Cr Sayers-Hunt
Seconded: Deputy Mayor Simpson

THAT the minutes of the Risk Management and Audit Committee meeting of 3 September 2019 be received and noted.

CARRIED (5-0)-1920/069

15.4 National Redress Scheme

Moved: Cr Salter
Seconded: Deputy Mayor Simpson

THAT Council declares the Litchfield Council's participation in the National Redress Scheme as part of the Northern Territory Government Jurisdiction.

CARRIED (5-0)-1920/070

15.5 FPSRR Governance Arrangement Review Reference Group

Moved: Deputy Mayor Simpson
Seconded: Cr Salter

THAT Council:

1. Establishes the Freds Pass Sport and Recreation Reserve Governance Arrangements Review Reference Group in line with Terms of Reference as attached to this report;
2. Endorses an Expression of Interest process for membership to run in January and February 2020;
3. Appoints Councillor Sayers-Hunt as elected member representative to the Freds Pass Sport and Recreation Reserve Governance Arrangements Review Reference Group; and
4. Writes to the Freds Pass Sport and Recreation Reserve Board thanking them for supporting this review.

CARRIED (5-0)-1920/071

15.6 Freds Pass Sport and Recreation Reserve Board Observer Role

Moved: Cr Sayers-Hunt
Seconded: Deputy Mayor Simpson

THAT Council:

1. nominates the Chief Executive Officer or delegate to the Freds Pass Sport and Recreation Reserve Board, as observer in accordance with the Board's constitution; and
2. writes to the Freds Pass Sport and Recreation Reserve Board to inform them about the nomination requesting written confirmation of the appointment.

CARRIED (5-0)-1920/072

15.7 PA2019/0329, a Development Application for a Subdivision to Create Six Lots at Section 1902 and Section 1905 (1000) Channel Island Road, Wickham, Hundred of Ayers

Moved: Cr Barden
Seconded: Cr Sayers-Hunt

THAT Council:

1. receive and note the report; and
2. note Attachment A, Council's Letter of Comment for PA2019/0329, a Development Application for a Subdivision to Create Six Lots at Section 1902 and Section 1905 (1000) Channel Island Road, Wickham, Hundred of Ayers.

CARRIED (5-0)-1920/073

15.8 Proposed Road Opening Richards Road, Blackmore

Moved: Cr Barden
Seconded: Cr Salter

THAT Council:

1. proceed with the road opening process for Richards Road across 2335 Cox Peninsula Road, Blackmore and
2. authorise all appropriate documents to be signed and common seal affixed by the Mayor and Chief Executive Officer for the opening of the road, as required.

CARRIED (5-0)-1920/074

15.9 Roads Asset Management Plan

Moved: Cr Sayers-Hunt
Seconded: Deputy Mayor Simpson

THAT Council:

1. adopts the Roads Asset Management Plan and
2. approves the Chief Executive Officer to make minor editorial changes to the Roads Asset Management Plan, if required.

CARRIED (4-1)-1920/075

A division was called

Mayor Bredhauer, Cr Barden, Deputy Mayor Simpson, Cr Sayers-Hunt voted in the affirmative

Cr Salter voted in the negative

15.10 Summary Planning and Development Report – October 2019

Moved: Cr Sayers-Hunt
Seconded: Cr Barden

THAT Council:

1. receive the October 2019 Summary Planning and Development Report; and
2. notes for information the responses provided to relevant agencies within Attachments A-D to this report.

CARRIED (5-0)-1920/076

15.11 Telstra Proposal to Lease Council Land at 1205 Girraween Road, Herbert for a Mobile Telecommunications Facility

Moved: Deputy Mayor Simpson
Seconded: Cr Sayers-Hunt

THAT Council:

1. provides in principle support to enter into a lease in favour of Telstra for a portion of 1205 Girraween Road, Herbert, as detailed in the Tenure Offer included in Attachment A, provided that:
 - a) the offer is amended to include:
 - i. coverage of all Council legal costs by Telstra
 - ii. assurance that the tower would be made available for use by other carriers
 - b) adequate community consultation is undertaken by Telstra;
2. delegates authority to negotiate the final lease terms to the Chief Executive Officer; and

15.11 Telstra Proposal to Lease Council Land at 1205 Girraween Road, Herbert for a Mobile Telecommunications Facility (continued)

3. authorises all appropriate lease documents to be signed and common seal affixed by the Mayor and Chief Executive Officer, as required.

CARRIED (5-0)-1920/077

15.12 Mango Roads Project Update

Moved: Cr Sayers-Hunt
Seconded: Cr Barden

THAT Council:

1. receives and notes the update on the Mango Road project;
2. notes Council as being a partner of the project, alongside the Federal Government and Northern Territory Government;
3. notes the Northern Territory Government as coordinating the project delivery of the Mango Roads project;
4. provides in-principle support to contribute \$3 million to the Mango Roads project;
5. approves the use of up to \$250,000 from the Developer Contribution reserve in 2019/20 to fund the finalisation of designs and other works relating to the project, with any amount utilised being part of Council's \$3 million contribution;
6. request the Finance Manager to include funding of the Mango Roads project in the future budget register for consideration within the 2020/21 budget, at a value to be determined through budget considerations; and
7. write to Minister Canavan and Minister Lawler to express a desire to have the infrastructure bought forward to the 20/21 budget for immediate works.

CARRIED (4-1)-1920/078

A division was called

**Mayor Bredhauer, Deputy Mayor Simpson, Cr Barden and Cr Sayers-Hunt voted in the affirmative
Cr Salter voted in the negative**

16. COMMON SEAL

Nil.

17. OTHER BUSINESS

Nil.

18. PUBLIC QUESTIONS

18.1 Greg Chapman – Tumbling Waters

Mr Chapman advised sealing the Mango Roads is not only beneficial to the farmers but also the surround residents.

Mayor Bredhauer thanked Mr Chapman for his comments.

19. CONFIDENTIAL ITEMS

Moved: Cr Sayers-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 closed to the public to consider the following Confidential Items:

19.2 Risk Management and Audit Committee – Appointment of Independent Chairperson

Regulation 8(c) – information that would, if publicly disclosed, be likely to:

(i) cause commercial prejudice to, or confer an unfair commercial advantage on, any person or

(iv) prejudice the interests of the council or some other person.

19.2 Award Contract - RFT19-199 Litchfield Council Reseal Various Roads

Regulation 8(c) – information that would, if publicly disclosed, be likely to: (i) cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

CARRIED (5-0)-1920/079

The meeting was closed to the public at 7:59pm.

Moved: Cr Sayers-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 (5-0)-1920/082

The meeting moved to Open Session at 8:12pm.

19.1 Award Contract - RFT19-199 Litchfield Council Reseal Various Roads

THAT Council:

1. receive and note the Tender Evaluation Report for RFT19-199; and
2. award the contract for RFT19-199 Litchfield Council Reseal Various Roads to F & J Bitumen Services Pty Ltd, in accordance with their submitted tender, estimated \$501,958 (GST exclusive);
3. makes this resolution public following notification to all tenderers; and
4. determine that this report remains confidential, as the report contains commercial in-confidence information.

19.2 Risk Management and Audit Committee – Appointment of Independent Chairperson

THAT Council:

1. notes the expressions of interest for the position of Independent Chairperson for the Litchfield Council Risk Management and Audit Committee;
2. appoints Mr Garry Lambert as the independent chairperson of the Risk Management and Audit Committee for a term of four years until November 2023;
3. writes to the successful applicant informing them of their appointment as the Independent Chairperson of the Litchfield Council Risk Management and Audit Committee;
4. writes to the incumbent Chairperson to express council’s gratitude for their time and investment in the role;
5. writes to the remaining applicants thanking them for their EOIs; and
6. makes public the resolution from this report in the open minutes of the Council meeting.

20. CLOSE OF MEETING

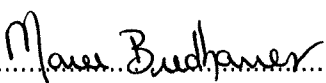
The Chair closed the meeting at 8:12pm.

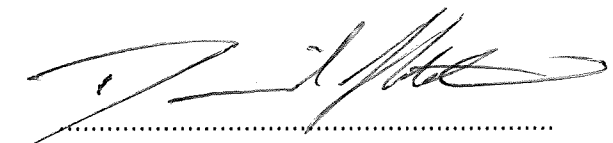
21. NEXT MEETING

Wednesday 20 November 2019.

MINUTES TO BE CONFIRMED

Wednesday 20 November 2019


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Mayor
Maree Bredhauer


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Chief Executive Officer
Daniel Fletcher

27-11-19