



COUNCIL MINUTES

LITCHFIELD ORDINARY COUNCIL MEETING

Minutes of Ordinary Meeting
held in the Council Chambers, Litchfield
on Tuesday 20 September 2022 at 6:00pm

Present	Doug Barden Emma Sharp Rachael Wright Mathew Salter Andrew Mackay Mark Sidey	Mayor (Chair) Deputy Mayor / Councillor South Ward Councillor North Ward Councillor North Ward Councillor Central Ward Councillor South Ward
Staff	Stephen Hoyne Maxie Smith Nicky Davidge Alana Rosse	Chief Executive Officer Acting General Manager Business Excellence General Manager Communications & Lifestyle Executive Assistant
Presenters	David Jan	Manager Operations and Environment

Public Gallery As per Attendance Register
Streamed Online via YouTube: <https://www.youtube.com/watch?v=uknXw9kzqaA>

1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

On behalf of Council, the Mayor acknowledged the Traditional Custodians of the land on which we meet. 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.

2. OPENING OF THE MEETING

The Mayor opened the meeting at 6:00pm

Mayors Condolences to Queen

It is with great sadness Litchfield Council notes the passing of Her Majesty The Queen on 8 September 2022. We thank her for her dedication and service throughout her life. While we have lost an admired and cherished Monarch, her family has lost so much more. Accordingly, we wish to express our sincere condolences.

The Mayor advised that an audio and visual recording of the meeting was live streamed to Council's online platform and will remain online for public viewing in accordance with Council's Recording of Council Meetings Policy. By attending the meeting, those present agreed to comply by Council's Recording of Council Meetings Policy.

ELECTRONIC ATTENDANCE / APOLOGIES AND LEAVE OF ABSENCE

2.1 Electronic Attendance

Nil.

2.2 Apologies

Moved: Deputy Mayor Sharp
Seconded: Cr Sidey

THAT pursuant to GOV02 Litchfield Council's Meeting Procedures Council accept an apology from Cr Harlan.

CARRIED (6-0) ORD2022 11-200

2.3 Leave of Absence Previously Granted

Nil.

2.4 Leave of Absence Request

Nil.

DISCLOSURE 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.

4.1 Elected Members

As per Section 115 of the Local Government Act 2019, Mayor Barden disclosed an interest in items:

- 16.02.05 Breach of Code of Conduct – Draft Summary of Findings

4.2 Staff

No disclosures of interest were declared.

4. CONFIRMATION OF MINUTES

5.1 Confirmation of Council Minutes

Moved: Cr Wright
Seconded: Deputy Mayor Sharp

THAT Council confirms the following minutes as a true and accurate record of those meetings:

- Ordinary Council meeting held 16 August 2022

CARRIED (6-0) ORD2022 11-201

5.2 Council Action Sheet / Business Arising from Previous Meetings

Moved: Cr Wright
Seconded: Deputy Mayor Sharp

THAT Council receive and note Item 5.02 within the Council agenda, Council Action Sheet / Business Arising from Previous Meetings.

CARRIED (6-0) ORD2022 11-202

6. PETITIONS

Nil.

7. DEPUTATIONS AND PRESENTATIONS

Nil.

8. PUBLIC QUESTIONS

Nil.

9. ACCEPTING OR DECLINING LATE ITEMS

Nil.

10. NOTICES OF MOTION

Nil.

11. MAYORS REPORT

Moved: Cr Sidey
Seconded: Deputy Mayor Sharp

THAT Council receive and note Item 11.01 Mayor's monthly report for the period 17 August 2022 to 19 September 2022.

CARRIED (6-0) ORD2022 11-203

12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

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

Moved: Cr Mackay

Seconded: Cr Salter

THAT Council note the verbal update provided by the representative of:

- Risk Management and Audit Committee Meeting held 31 August 2022.

CARRIED (6-0) ORD2022 11-204

13. WORK TEAM PRESENTATION

Nil.

14. OFFICERS' REPORTS

14.01 Business Excellence

14.01.01 Litchfield Council Finance Report – August 2022

Moved: Cr Mackay

Seconded: Cr Salter

THAT Council note the Litchfield Council Finance Report – August 2022 for the period ended 31 August 2022.

CARRIED (6-0) ORD2022 11-205

14.01.02 People, Performance and Governance Report - August 2022

Moved: Cr Wright

Seconded: Deputy Mayor Sharp

THAT Council note the People, Performance and Governance Report for August 2022.

CARRIED (6-0) ORD2022 11-206

14.01.03 Risk Management & Audit Committee Meeting Minutes- 31 August 2022

Moved: Cr Salter

Seconded: Cr Sidey

THAT Council receive and note the Risk Management Audit Committee unconfirmed open minutes from 31 August 2022 meeting, as at Attachment A.

CARRIED (6-0) ORD2022 11-207

14.02 Council Leadership & Community Services

14.02.01 Draft Reconciliation Action Plan

Moved: Cr Sidey
Seconded: Cr Salter

THAT Council lay the matter on the table until the October Ordinary Council Meeting.

CARRIED (6-0) ORD2022 11-208

14.02.02 Howard Park and Knuckey Lagoon Recreation Reserves Committee Minutes

Moved: Cr Wright
Seconded: Cr Salter

THAT Council receive and note:

1. the unconfirmed Howard Park Committee Minutes of 8 August 2022, at Attachment A; and
2. the unconfirmed Knuckey Lagoon Committee Minutes of 4 August 2022, at Attachment B.

CARRIED (6-0) ORD2022 11-209

14.02.03 Freds Pass Sport and Recreation Reserve Water Leak Funding Update

Moved: Cr Wright
Seconded: Cr Mackay

THAT Council receive and note the report.

CARRIED (6-0) ORD2022 11-210

14.03 Infrastructure and Operations

14.03.01 Summary Planning and Development Report August 2022

Moved: Cr Wright
Seconded: Cr Sidey

THAT Council:

1. receive the Summary Planning and Development Report August 2022; and
2. note for information the responses provided to relevant agencies within Attachments A-D to this report.

CARRIED (6-0) ORD2022 11-211

14.03.02 Public Access to a Portion of Humpty Doo Waste Transfer Station

Moved: Mayor Barden
Seconded: Cr Sidey

THAT Council

1. approve a budget allocation of \$45,000 from the Waste Reserve for the fencing of the portion of land along Strangways Road, which forms part of the Humpty Doo Waste Transfer Station Environmental Protection License (EPL 279).
2. allow 30 days for the removal of any plant on the site.
3. explore further options to conform with the DCA & EPA requests such as a 4-strain wire fence similar to that around the Council building on Bees Creek Rd.

CARRIED (6-0) ORD2022 11-212

14.03.03 Berry Springs Waste Transfer Station Operating Hours

Moved: Mayor Barden
Seconded: Cr Wright

THAT Council

1. approve updated hours of operation for the Berry Springs Waste Transfer Station to be 0700 – 1800.
2. recognises the site needs significant lighting upgrades in order to conform with National Work Health and Safety Legislation and as per the NT Work Safe Code of Practice at Attachment A to extend the operational hours beyond those being proposed.

CARRIED (6-0) ORD2022 11-213

14.03.04 Humpty Doo Waste Transfer Station Asbestos Remediation Project

Moved: Deputy Mayor Sharp
Seconded: Cr Sidey

THAT Council approve a further final budget allocation of \$400,000 from the waste reserve to finalise the Humpty Doo Waste Transfer Station asbestos remediation project.

CARRIED (5-1) ORD2022 11-214

15. OTHER BUSINESS

On behalf of Council and South Ward residents, the Mayor extended condolences to Molly Woodbridge who was a long term resident of Darwin River and an accountant for many of our volunteer organisations such as the Berry Springs Recreation Reserve, Livingstone Recreation Reserve, Darwin River and Berry Springs Volunteer Bushfire Brigade.

Cr Salter and Mayor Barden congratulated Southern District Cricket on their successful season and all other sporting teams within Litchfield municipality.

16. CONFIDENTIAL ITEMS

Moved: Cr Wright
Seconded: Cr Sidey

THAT Pursuant to Section 99 (2) of the *Local Government Act* and Regulation 51(1) of the *Local Government (General) Regulations 2019* the meeting be closed to the public to consider the following Confidential Items:

16.01.01 Minutes Confidential Ordinary Council Meeting

16.01.02 Risk Management Audit Committee Unconfirmed Confidential Minutes 31 August 2022

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*:

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

16.02.01 Request to Write Off Interest Charges

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*:

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

16.02.02 Humpty Doo Village Green Management

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*:

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

16.02.03 Application to Write Off Road Seal Levy 10067601

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*:

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

16.02.04 Firebreaks on Unmaintained Road Reserves

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*:

(c)(iv) information that would, if publicly disclosed, be likely to subject to subregulation (3) – prejudice the interests of the council or some other person.

16.02.05 Breach of Code of Conduct

This item is considered 'confidential' pursuant to Section 293(1) of the Local Government Act 2019 and Section 51(1) of the Local Government (General) Regulations 2021.

(f) subject to subregulation (2) – information in relation to a complaint of a contravention of the code of conduct.

CARRIED (6-0) ORD2022 11-215

The meeting was closed to the public at 7:05pm

Moved: Cr Mackay
Seconded: Cr Sidey

THAT pursuant to Section 93(2) of the *Local Government Act 2019* and Regulation 51 of the *Local Government (General) Regulations 2021* the meeting be re-opened to the public.

CARRIED (4-0) ORD2022 11-224

The Chair moved to the Open Session of the meeting at 7.44pm
Mayor Barden entered the room at 7:44pm

17. CLOSE OF MEETING

The Chair closed the meeting at 7:45pm

18. NEXT MEETING

Tuesday 18 October 2022

MINUTES TO BE CONFIRMED

Tuesday 18 October 2022

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Mayor
Doug Barden

.....
Chief Executive Officer
Stephen Hoyne