



## COUNCIL MINUTES

---

### LITCHFIELD COUNCIL MEETING

**Minutes of Ordinary Meeting**  
held in the Council Chambers, Litchfield  
on Tuesday 14 December 2021 at 6:00pm

---

<b>Present</b>	Doug Barden Mathew Salter Rachael Wright Andrew Mackay Kevin Harlan Emma Sharp Mark Sidey	Mayor Deputy Mayor / Councillor North Ward Councillor North Ward Councillor Central Ward Councillor Central Ward Councillor South Ward Councillor South Ward
<b>Staff</b>	Arun Dias Leon Kruger Diana Leeder Alana Rosse	Acting Chief Executive Officer General Manager Infrastructure & Operations Executive Manager Community Inclusion Executive Assistant
<b>Public</b>	As per Attendance Register	

---

#### 1. 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.

#### 2. OPENING OF THE MEETING

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

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.

### **3. ELECTRONIC ATTENDANCE / APOLOGIES AND LEAVE OF ABSENCE**

#### **3.1 Electronic Attendance**

Nil.

#### **3.2 Apologies**

Daniel Fletcher, Chief Executive Officer.

#### **3.3 Leave of Absence Previously Granted**

Nil.

#### **3.4 Leave of Absence Request**

Nil.

### **4. 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**

No disclosures of interest were declared.

#### **4.2 Staff**

No disclosures of interest were declared.

### **5. CONFIRMATION OF MINUTES**

#### **5.1 Confirmation of Minutes**

Moved: Cr Wright

Seconded: Cr Mackay

THAT Council confirm the following:

1. Special Council Meeting minutes held 9 November 2021, 3 pages;
2. Ordinary Council Meeting minutes held 16 November 2021, 12 pages; and
3. Ordinary Council Meeting Confidential minutes held 16 November 2021, 2 pages.

**CARRIED (7-0) ORD2021 11-064**

**5.2 Council Action Sheet / Business Arising from Previous Meetings**

Moved: Cr Sidey  
Seconded: Cr Harlan

THAT Council receive and note the Action List.

**CARRIED (7-0) ORD2021 11-065**

**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: Mayor Barden  
Seconded: Cr Harlan

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

**CARRIED (7-0) ORD2021 11-066**

**12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES**

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

Moved: Cr Mackay  
Seconded: Cr Harlan

THAT Council note the Councillors' verbal reports.

**CARRIED (7-0) ORD2021 11-067**

*Mark Hogan, Planning & Development Program Leader attended and presented to the meeting via Zoom at 6.20pm.*

**13. WORK TEAM PRESENTATION**

**13.01 Planning Development**

Moved: Cr Sharp  
Seconded: Cr Mackay

THAT Council receive and note the Work Team Planning Development Presentation.

**CARRIED (7-0) ORD2021 11-068**

*Mark Hogan, Planning & Development Program Leader left the meeting at 6.31pm.*

**14. OFFICERS' REPORTS**

**14.01 Business Excellence**

*Maxie Smith, Manager Corporate Services attended and presented to the meeting at 6.32pm.*

**14.01.01 Litchfield Council Finance Report – November 2021**

Moved: Cr Mackay  
Seconded: Cr Harlan

THAT Council note the Litchfield Council Finance Report for the period ended 30 November 2021.

**CARRIED (7-0) ORD2021 11-069**

*Maxie Smith, Manager Corporate Services left the meeting at 6.39pm.*

**ORDER OF BUSINESS**

The order of business was changed and Item 14.03.03 Asbestos Contamination Rehabilitation was brought forward for consideration.

David Jan, Manager Operations and Environment attended and presented to the meeting at 6.39pm

**14.03.03 Asbestos Contamination Rehabilitation**

Moved: Cr Mackay

Seconded: Cr Sidey

THAT Council:

1. approve Humpty Doo Waste Transfer Station as the only site to accept construction waste and that Howard Springs and Berry Springs will no longer accept construction waste.
2. approve the removal of the following waste fee.
  - 2.1.1. separated & Uncontaminated Construction Waste (concrete, tiles, bricks, sand and clean fill soil) - \$60.90 / tonne.
3. approve the inclusion of categories and fees for construction waste that will only be accepted at Humpty Doo Waste Transfer Station as follows:
  - 3.1. concrete, tiles, bricks, porcelain and terracotta which are clean and uncontaminated (including without steel reinforcing).
    - 3.1.1 commercial - \$37/tonne.
    - 3.1.2 residential – Free with a limit placed on amounts delivered in each instance consistent with green waste arrangements.
  - 3.2. concrete, tiles, bricks, porcelain and terracotta which are contaminated with steel reinforcing or scrap metal only.
    - 3.2.1. commercial – \$103/tonne.
    - 3.2.2. residential – Free with a limit placed on amounts delivered in each instance consistent with green waste arrangements.
  - 3.3. construction waste – Unsorted and certified free of listed waste substances.
    - 3.3.1. free and accept only residential, with a limit placed on amounts delivered in each instance consistent with green waste arrangements.
    - 3.3.2. no unsorted commercial waste accepted.
4. allocate an amount of up to \$350,000 from the waste reserve in Budget Review 1 to cater for the separation and disposal of existing contaminated waste.

**CARRIED (7-0) ORD2021 11-070**

David Jan, Manager Operations and Environment left the meeting at 6.53pm.

*Maxie Smith, Manager Corporate Services attended and presented to the meeting at 6.56pm.*

**14.01.02 Budget Review 1 – 2021/2022**

Moved: Cr Sidey  
Seconded: Cr Harlan

THAT Council:

1. receive and note the Budget Review 1 report for 2021/2022; and
2. lay the matter on the table until the January 2022 Ordinary meeting in order to allow more time for the elected members to interrogate the documentation.

**A Division was called**

**Those voting in the affirmative of the motion: Mayor Barden, Deputy Mayor Salter,  
Cr Sidey, Cr Harlan, Cr Mackay**

**Those voting in the negative of the motion: Cr Wright, Cr Sharp  
CARRIED (5-2) ORD2021 11-071**

*Maxie Smith, Manager Corporate Services left the meeting at 7.15pm.*

*Danny Milincic, Manager People and Performance attended and presented to the meeting at 7.25pm.*

**14.01.03 People, Performance and Governance Monthly Report – November 2021**

Moved: Cr Wright  
Seconded: Cr Harlan

THAT Council note the People, Performance and Government monthly report for November 2021.

**CARRIED (7-0) ORD2021 11-072**

*Danny Milincic, Manager People and Performance left the meeting at 7.31pm.*

*Maxie Smith, Manager Corporate Services attended and presented to the meeting at 7.31pm.*

**14.01.04 Overriding Statutory Charge – Unpaid Rates**

Moved: Cr Mackay  
Seconded: Cr Sharp

THAT Council approve the fixation of the Common Seal with the Mayor and the Chief Executive Officer signing all documents relevant to applying the overriding statutory charge over the properties listed in Attachment A.

**CARRIED (5-2) ORD2021 11-073**

*Maxie Smith, Manager Corporate Services left the meeting at 7.49pm.*

**14.02 Council Leadership & Community Services**

**14.02.01 Drafting Instructions – Litchfield Public Places By-laws**

Moved: Cr Wright  
Seconded: Cr Sidey

THAT Council endorse the draft table of By-law Instructions, at Attachment A, subject to minor editorial changes by the Chief Executive Officer.

**CARRIED (6-1) ORD2021 11-074**

**14.02.02 McMinn’s Lagoon Recreation Reserve Additional Funding**

Moved: Cr Sharp  
Seconded: Cr Mackay

THAT Council approve an immediate additional operational grant of \$5,000 to McMinn’s Lagoon Reserve Management Association.

**CARRIED (7-0) ORD2021 11-0075**

*Arun Dias, Acting Chief Executive Officer left the meeting at 8.01pm and returned at 8:03pm*

**14.02.03 Livingstone Recreation Reserve Masterplan**

Moved: Cr Sharp  
Seconded: Cr Wright

THAT Council:

1. receive and note this report titled Livingstone Recreation Reserve Master Plan; and
2. endorse the Livingstone Recreation Reserve Master Plan 2021-31

**CARRIED (7-0) ORD2021 11-076**

#### **14.03 Infrastructure and Operations**

*Mark Hogan, Planning & Development Program Leader attended and presented via zoom at the meeting at 8:05pm*

*Cr Mackay left the meeting at 8:05pm and returned at 8:07pm*

##### **14.03.01 Summary Planning and Development Report November 2021**

Moved: Cr Mackay

Seconded: Cr Harlan

THAT Council:

1. receive the Summary Planning and Development Report November 2021; and
2. note for information the responses provided to relevant agencies within Attachments A - H to this report.

**CARRIED (7-0) ORD2021 11-077**

*Mark Hogan, Planning & Development Program Leader left the meeting at 8.25pm*

##### **14.03.02 Girraween Road Speed Limit Reduction 12-Month Review**

Moved: Cr Mackay

Seconded: Cr Harlan

THAT Council:

1. receive the information in this report;
2. reinstate the historic 80km/h on Girraween Road between the point where Litchfield Council assumes control over the road to Azure intersection;
3. note the success of guard rails and right-hand turning lane at the Girraween/Hillier road intersection; and
4. request a further review at the December 2022 Ordinary Council Meeting.

**A Division was called**

**Those voting in the affirmative of the motion: Deputy Mayor Salter, Cr Sidey, Cr Harlan,  
Cr Mackay**

**Those voting in the negative of the motion: Mayor Barden, Cr Sharp, Cr Wright**

**CARRIED (4-3) ORD2021 11-078**



David Jan, Manager Operations and Environment presented to the meeting at 8:48pm

**14.03.04 Proposed Updated Waste Fees and Charges**

Moved: Cr Harlan  
Seconded: Deputy Mayor Salter

THAT Council

1. adopt the updated fees and charges structure and conditions for air conditioners, fridges, freezers, gas bottles and fire extinguishers as detailed in Table 1 of this report 14.03.04 on 14 December 2021; and
2. request the tyre fee structure to be brought back to Council when updates have been completed.

**CARRIED (7-0) ORD2021 11-079**

David Jan, Manager Operations and Environment left the meeting at 8:57pm

Mark Hogan, Planning Development Program Leader presented to the meeting via Zoom at 8:58pm

Cr Harlan left the meeting at 9.00pm and returned at 9:03pm

**14.03.05 Proposed Place Names – Subdivision 408 Brougham Road, Darwin River**

Moved: Deputy Mayor Salter  
Seconded: Cr Wright

THAT Council:

1. support the proposed road name as follows:

Preferred	Alternative One	Alternative Two
River Rocks	Creekview	Creekside

2. provide a submission to the NT Place Names unit and the NT Place Names Committee detailing the above resolution.

**CARRIED (7-0) ORD2021 11-080**

Mark Hogan, Planning Development Program Leader left the meeting via zoom at 9:03pm

**15. OTHER BUSINESS**

Cr Harlan questioned the outstanding issue through Snap, Send Solve brought up at the previous Ordinary Council Meeting.

**16. CONFIDENTIAL ITEMS**

Moved: Deputy Mayor Salter  
Seconded: Cr Sharp

THAT pursuant to Section 93(2) of the Local Government Act 2019 and Regulation 51 of the Local Government (General) Regulations the meeting be closed to the public to consider the following Confidential Items:

**16.01 2022 Australia Day Awards**

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

**16.02 2021-22 Annual Community Grants**

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

**CARRIED (7-0) ORD2021 11-081**

The meeting was closed to the public at 9:03pm.

Moved: Cr Mackay  
Seconded: Cr Harlan

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

**CARRIED (7-0) ORD2021 11-084**

The meeting moved to Open Session at 9:12pm.

**17. CLOSE OF MEETING**

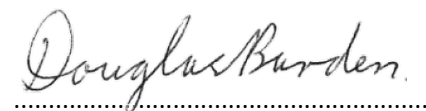
The Chair closed the meeting at 9:13pm.

**18. NEXT MEETING**

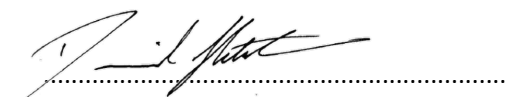
Tuesday 18 January 2022.

**MINUTES TO BE CONFIRMED**

Tuesday 18 January 2022



Mayor  
Doug Barden



Chief Executive Officer  
Daniel Fletcher