



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting
held in the Council Chambers, Litchfield
on Tuesday 15 February 2022 at 6:03pm

Present	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 (Electronic Attendance) Councillor South Ward
Staff	Daniel Fletcher Arun Dias Leon Kruger Nicky McMaster Debbie Branson	Chief Executive Officer General Manager Business Excellence General Manager Infrastructure & Operations General Manager Communications & Lifestyle Executive Assistant
Public	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

Moved: Deputy Mayor
Seconded: Cr Wright

THAT Council approve Cr Sharp to attend the meeting electronically.

CARRIED (7-0) ORD2022 11-024

3.2 Apologies

Nil.

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

As per Section 115 of the *Local Government Act 2019*, Cr Wright disclosed an interest in Item 6.1 – Telstra Tower – Bronzewing Avenues and left the meeting whilst the matter was under consideration.

4.2 Staff

No disclosures of interest were declared.

5. CONFIRMATION OF MINUTES

5.1 Confirmation of Minutes

Moved: Deputy Mayor Salter
Seconded: Cr Harlan

THAT Council confirm the following Ordinary Council Meeting minutes held 18 January 2022, 11 pages.

CARRIED (7-0) ORD2022 11-025

5.2 Council Action Sheet / Business Arising from Previous Meetings

Moved: Deputy Mayor Salter
Seconded: Cr Wright

THAT Council receive and note the Action List.

CARRIED (7-0) ORD2022 11-026

6. PETITIONS

6.1 Telstra Tower - Bronzewing Avenue

As per Section 115 of the *Local Government Act 2019*, Cr Wright disclosed an interest in Item 6.1 – Telstra Tower – Bronzewing Avenues and left the meeting whilst the matter was under consideration.

Cr Wright left the meeting at 6:09pm

A representative from the Howard Springs Park Community Association addressed Council on the petition in regard to the pending proposal for a Telstra Tower on Bronzewing Avenue

Moved: Cr Harlan
Seconded: Cr Sidey

THAT Council:

1. receive and note the petition in relation to the Telstra Tower on Bronzewing Avenue; and
2. request that the Chief Executive Officer provides a response to the petition received from Howard Springs Park Community Association.

CARRIED (6-0) ORD2022 11-027

Cr Wright returned to the meeting at 6:20pm

7. DEPUTATIONS AND PRESENTATIONS

Nil.

8. PUBLIC QUESTIONS

8.1 Proposed Telsta Tower – Bronzewing

Several residents expressed their concern in relation to the health risks, clearing land around surrounding properties, signage, environmental impacts and community consultation.

9. ACCEPTING OR DECLINING LATE ITEMS

9.1 Late Report – 16.1 Workplace Matter

Moved: Cr Sidey
Seconded: Mayor Barden

THAT the late report item 16.1 Workplace Matter, be accepted and included under Officer's Confidential reports for consideration.

CARRIED (7-0) ORD2021 11-028

10. NOTICES OF MOTION

Nil.

11. MAYORS REPORT

Moved: Mayor Barden
Seconded: Cr Wright

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

CARRIED (7-0) ORD2022 11-029

12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

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

Moved: Cr Harlan
Seconded: Cr Mackay

THAT Council note the Councillors' verbal reports.

CARRIED (7-0) ORD2022 11-030

13. WORK TEAM PRESENTATION

13.01 Corporate Services

Moved: Deputy Mayor Salter
Seconded: Cr Wright

THAT Council receive and note the Work Team Corporate Services Presentation.

CARRIED (7-0) ORD2022 11-031

14. OFFICERS' REPORTS

14.01 Business Excellence

Maxie Smith, Manager Corporate Services attended and presented to the meeting at 6:51pm.

14.01.01 Litchfield Council Finance Report – January 2022

Moved: Deputy Mayor Salter
Seconded: Cr Harlan

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

CARRIED (7-0) ORD2022 11-032

Maxie Smith, Manager Corporate Services left the meeting at 6:59pm.

Danny Milincic, Manager People and Performance attended and presented to the meeting at 6:59pm.

14.01.02 People, Performance and Governance Monthly Report – January 2022

Moved: Cr Wright
Seconded: Cr Harlan

THAT Council note the People, Performance and Government monthly report for January 2022.

CARRIED (7-0) ORD2022 11-033

Danny Milincic, Manager People and Performance left the meeting at 7:11pm.

14.01.03 Council Delegations to Chief Executive Officer

Moved: Cr Harlan
Seconded: Cr Sharp

THAT Council:

1. rescind the adopted resolution numbers 1718/150 and 1718/163 as at Attachment A.
2. delegate to the Chief Executive Officer:
 - a) Pursuant to Section 12 of the Cemeteries Act, delegates to the Chief Executive Officer all its powers and functions under the Cemeteries Act to undertake the care, control and management of the public cemetery known as Thorak Regional Cemetery and located in Litchfield Council's area (Section 269 Local Government Act).
 - b) Pursuant to Section 40 of the Local Government Act, Council delegates to the Chief Executive Officer its powers and functions under the Local Government Act and Local Government Regulations and any other Acts under which Council has powers, duties, authorities and functions.

With the exception of the following:

14.01.03 Council Delegations to Chief Executive Officer (Continued)

- i. Those matters referred to in Section 40(3) of the Local Government Act.
- ii. Section 35 regarding the adoption of the Municipal Plan including the Annual Budget.
- iii. Section 38(2) use of Common Seal.
- iv. Section 54 appointment to fill casual vacancy on Council.
- v. Section 82 establishment of Council Committees.
- vi. The powers, functions and duties under Section Part 6.4, meetings of electors.

Conditions

- I. As per Section 40(4)(b), the power to waive a fee for service is only delegated to the CEO if the waiver will provide a community benefit. Limited to \$5,000.
 - II. Where Council has adopted a Council Policy, delegations are limited as set out in the Policy.
- c) Pursuant to Section 183 of the Local Government Act, Council appoints the Chief Executive Officer as an Authorised person for the purpose of implementing Council's responsibilities under:
The Local Government Act;
Litchfield Council (Dog Management) By-laws;
Northern Territory Traffic Act and associated regulations; and
Northern Territory Control of Roads Act.
 - d) Pursuant to Section 40 of the Local Government Act, Council delegates to the Chief Executive Officer the power and authority to exercise all or any of the powers of Council under the Litchfield Council (Dog Management) By-Laws.
 - e) Pursuant to Section 40 of the Local Government Act, Council 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.
 - f) Pursuant to Section 40 of the Local Government Act, Council limits the power of the Chief Executive Officer to enter into a contract on behalf of Council to \$500,000 where provided for in the adopted budget.

CARRIED (6-1) ORD2022 11-034

Maxie Smith, Manager Corporate Services attended and presented to the meeting at 7:15pm.

14.01.04 Rates in Arrears – in excess of two years

Moved: Cr Mackay
Seconded: Cr Harlan

THAT Council receive and note this report.

CARRIED (7-0) ORD2022 11-035

Maxie Smith, Manager Corporate Services left the meeting at 7:23pm.

14.01.05 myLitchfield Discount Program 2022

Moved: Cr Sidey
Seconded: Cr Sharp

THAT Council:

1. acknowledge the funding opportunities provided by the Northern Territory Government;
2. approve the allocation of \$20,000 to the myLitchfield program;
3. authorise the Chief Executive Officer to enter into a Funding Agreement with the Northern Territory Government for the myLitchfield program funding; and
4. note the amendment to the original budget 2021-22 to be done in Budget Review 2.

CARRIED (5-2) ORD2022 11-036

14.02 Council Leadership & Community Services

14.02.01 National General Assembly of Local Government 2022

Moved: Cr Sidey
Seconded: Deputy Mayor Salter

THAT Council lay the matter on the table until the program is available so Council can consider the benefits of those proposing to attend.

CARRIED (7-0) ORD2022 11-037

14.02.02 Litchfield Women in Business Network Committee Minutes

Moved: Cr Wright
Seconded: Deputy Mayor Salter

THAT Council receive and note the unconfirmed Litchfield Women in Business Network Meeting Minutes of 10 January 2022, at Attachment A.

CARRIED (7-0) ORD2022 11-038

Diana Leeder, Executive Manager Community Inclusion attended and presented to the meeting at 7:37pm.

14.02.03 Climate Adaption Strategy and Action Plan

Moved: Cr Sidey
Seconded: Cr Mackay

THAT Council endorse the draft Climate Adaptation Strategy and Action Plan at Attachment C to this report for community consultation.

CARRIED (5-2) ORD2022 11-039

Diana Leeder, Executive Manager Community Inclusion left the meeting at 7:43pm.

14.02.04 Local Government Association of the NT General Meeting – Call for Motions

Moved: Cr Mackay
Seconded: Cr Wright

THAT Council note the Local Government Association of the Northern Territory call for motions.

CARRIED (7-0) ORD2022 11-040

14.03 Infrastructure and Operations

Mark Hogan, Planning & Development Program Leader attended and presented at the meeting at 7:47pm.

14.03.01 Summary Planning and Development Report January 2022

Moved: Cr Harlan
Seconded: Cr Sidey

THAT Council:

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

CARRIED (5-2) ORD2022 11-041

Mark Hogan, Planning & Development Program Leader left the meeting at 7:59pm.

14.03.02 Asbestos Remediation at HDWTS – Budget Allocation

Moved: Cr Mackay
Seconded: Cr Harlan

THAT Council approve an amount of \$350,000 to be allocated from the Waste Reserve to cater for the separation and disposal of contaminated waste at Humpty Doo Waste Transfer Station.

CARRIED (4-3) ORD2022 11-042

14.03.03 Waste Tyre Fee Structure

Moved: Cr Mackay
Seconded: Cr Sharp

THAT Council adopt the updated tyre disposal fees structure and conditions for tyres as detailed in Table 1 of this report.

**A Division was called
Those voting in the affirmative Mayor Barden, Deputy Mayor Salter, Cr
Wright, Cr Sharp, Cr Sidey and Cr Mackay
Those voting in the negative Cr Harlan
CARRIED (6-1) ORD2022 11-043**

15. OTHER BUSINESS

Nil.

16. CONFIDENTIAL ITEMS

Moved: Cr Sidey
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 Workplace Matter

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*.

(a) *information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.*

CARRIED (7-0) ORD2022 11-044

The meeting was closed to the public at 8:21pm.

Moved: Cr Harlan
Seconded: Cr Sidey

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) ORD2022 11-045

The meeting moved to Open Session at 10:27pm.

17. CLOSE OF MEETING

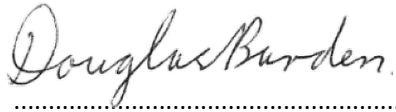
The Chair closed the meeting at 10:27pm.

18. NEXT MEETING

Tuesday 15 March 2022.

MINUTES TO BE CONFIRMED

Tuesday 15 March 2022.



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Mayor
Doug Barden



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Interim Chief Executive Officer
Arun Dias