



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting
held in the Council Chambers, Litchfield
on Tuesday 21 June 2022 at 6:00pm

Present	Doug Barden Emma Sharp Rachael Wright Mathew Salter Andrew Mackay Kevin Harlan	Mayor (Electronic Attendance) Deputy Mayor / Councillor South Ward (Chair) Councillor North Ward Councillor North Ward Councillor Central Ward Councillor Central Ward (Electronic Attendance)
Not Present	Mark Sidey	Councillor South Ward
Staff	Arun Dias Leon Kruger Nicky McMaster Jessica Eves	Chief Executive Officer General Manager Infrastructure & Operations General Manager Communications & Lifestyle Executive Assistant
Presenters	Danny Milincic David Jan Anthony Van Zeeventer	Manager People and Performance Manager Operations & Environment (Electronic Attendance) Cemetery & Parks Program Leader

Public Gallery As per Attendance Register
Streamed Online via YouTube: <https://www.youtube.com/watch?v=sSy2T5m4ArM>

1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

On behalf of Council, Deputy Mayor Sharp acknowledged the Traditional Custodians of the land on which we meet. Deputy Mayor Sharp 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 Deputy Mayor Sharp opened the meeting and welcomed members of the public.

Deputy Mayor Sharp 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: Cr Wright
Seconded: Cr Salter

THAT Council provides permission for the following Councillors to attend the Council meeting electronically:

- Mayor Barden
- Cr Harlan

CARRIED (4-0) ORD2022 11-0120

3.2 Apologies

Moved: Cr Wright
Seconded: Cr Salter

THAT Council notes and approves apologies from Cr Sidey.

CARRIED (6-0) ORD2022 11-121

3.3 Leave of Absence Previously Granted

Nil.

3.4 Leave of Absence Request

Nil.

4. DISCLOSURE OF INTEREST

Deputy Mayor Sharp 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 Council Minutes

Moved: Cr Wright
Seconded: Cr Salter

THAT Council confirms the minutes of the Ordinary Council meeting held 17 May 2022, 8 pages are a true and accurate record of the meeting.

CARRIED (6-0) ORD2022 11-122

5.2 Council Action Sheet / Business Arising from Previous Meetings

Moved: Cr Harlan
Seconded: Cr Salter

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

CARRIED (6-0) ORD2022 11-123

6. PETITIONS

Nil.

7. DEPUTATIONS AND PRESENTATIONS

Nil.

8. PUBLIC QUESTIONS

Nil.

9. ACCEPTING OR DECLINING LATE ITEMS

9.01 Late Report – 14.02.04 Breach of Code of Conduct – Summary of Decision

Moved: Cr Salter
Seconded: Mayor Barden

THAT the late report item 14.02.04 Breach of Code of Conduct – Summary of Decision, be accepted and included under Officer's reports for consideration.

CARRIED (6-0) ORD2022 11-124

9.02 Confidential Late Report – 16.02.03 Breach of Code of Conduct Complaint – Update

Moved: Cr Harlan
Seconded: Mayor Barden

THAT the confidential late report item 16.02.03 Breach of Code of Conduct Complaint – Update, be accepted and included under Officer’s reports within the Confidential Session for consideration.

CARRIED (6-0) ORD2022 11-125

10. NOTICES OF MOTION

Nil.

11. MAYORS REPORT

Moved: Deputy Mayor Sharp
Seconded: Cr Harlan

THAT Council receive and note Item 11.01 Mayor’s monthly report for the period 18 May 2022 to 21 June 2022.

CARRIED (6-0) ORD2022 11-126

12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

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

Moved: Deputy Mayor Sharp
Seconded: Cr Mackay

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

- Howard Park Reserve Committee Meeting held 6 June 2022;
- Knuckey Lagoon Reserve Committee Meeting held 2 June 2022; and
- Risk Management and Audit Committee Meeting held 1 June 2022.

CARRIED (6-0) ORD2022 11-127

13. WORK TEAM PRESENTATION

13.01.01 Work Team Presentation – Thorak Cemetery

Moved: Deputy Mayor Sharp
Seconded: Cr Wright

THAT Council receive and note the Work Team – Thorak Cemetery Presentation.

CARRIED (6-0) ORD2022 11-128

14. OFFICERS' REPORTS

14.01 Business Excellence

14.01.01 Litchfield Council Finance Report – May 2022

Moved: Cr Mackay
Seconded: Cr Wright

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

CARRIED (6-0) ORD2022 11-129

14.01.02 People, Performance and Governance Report - May 2022

Moved: Cr Mackay
Seconded: Cr Wright

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

CARRIED (6-0) ORD2022 11-130

14.01.03 Proposed Fees and Charges 2022-2023

Moved: Deputy Mayor Sharp
Seconded: Cr Salter

THAT Council:

1. adopt the Litchfield Council Fees and Charges for 2022-2023 as at Attachment A to this report;
2. adopt the Thorak Regional Cemetery Fees and Charges for 2022-2023 as at Attachment B to this report.

CARRIED (5-1) ORD2022 11-131

14.01.04 Declaration of Rates and Charges 2022-2023

Moved: Deputy Mayor Sharp
Seconded: Mayor Barden

THAT Council:

1. receive and note the Interim Chief Executive Officer's certification of the assessment records in line with Section 29 Local Government (General) Regulations 2021 as at Attachment A - Certification of Assessment Record June 2022 to this report; and
2. pursuant to Section 237 of the Local Government Act 2019, declare rates and charges for the financial year ending 30 June 2023 as noted in the Declaration of Rates and Charges 2022-2023 as at Attachment B - Declaration of Rates and Charges 2022-2023 to this report.
3. advertise the Declaration of Rates and Charges in a newspaper circulating generally in the area.

**Cr Harlan Called a Division
Members Voting in the Affirmative:**

Mayor Barden, Deputy Mayor Sharp, Cr Wright, Cr Mackay and Cr Salter

Members Voting in the Negative:

Cr Harlan

CARRIED (5-1) ORD2022 11-132

14.01.05 EM05 Council Member Allowances and Support Policy

Moved: Cr Salter
Seconded: Deputy Mayor Sharp

THAT Council adopt policy EM05 Council Member Allowances and Support Policy, as at Attachment A, and authorise the Chief Executive Officer to make any minor editorial adjustments.

CARRIED (6-0) ORD2022 11-133

Cr Mackay left the room at 7:07pm.

Cr Mackay returned to the room at 7:09pm.

14.01.06 Municipal Plan 2022-23 and Long Term Financial Plan 2023-2032

Moved: Cr Harlan
Seconded: Cr Salter

1. note submissions received for the Draft Municipal Plan 2022-2023 and Draft Financial Management Strategy and Long Term Financial Plan 2023-2032 and thank all residents for their input;
2. approve amendments to the Draft Municipal Plan 2022-2023 and Draft Financial Management Strategy and Long Term Financial Plan 2023-2032 as listed in Attachment B to this report;
3. authorise the Interim Chief Executive Officer to make necessary editorial changes to the Municipal Plan 2022-2023 and Financial Management Strategy and Long Term Financial Plan 2023-2032 if required;
4. adopt the Municipal Plan and Budget 2022-2023 and Financial Management Strategy and Long Term Financial Plan 2023-2032;
5. set aside any surplus/deficit from the 2021-2022 financial year into the Waste Management Reserve, Thorak Regional Cemetery Reserve, and Asset Reserve respectively; and
6. Set the Elected Member allowances for the year 2022-2023 as follows:
 - a) Mayor \$94,887.90 for the year paid on pro rata monthly basis in arrears (base allowance \$75,116.61, electoral allowance \$19,771.29) and subject to individual activity and prior approval a professional development allowance not more than \$3,753.17;
 - b) Deputy Mayor \$32,719.85 for the year paid on pro rata monthly basis in arrears (base allowance \$27,776.12, electoral allowance \$4,943.73) and subject to individual activity and prior approval a professional development allowance not more than \$3,753.17; and
 - c) Councillors \$18,453.69 for the year paid on pro rata monthly basis in arrears (base allowance \$13,509.96, electoral allowance \$4,943.73), subject to individual activity and prior approval a professional development allowance not more than \$3,753.17 and subject to conditions set out in EM05 Elected Member Benefit and Support Policy, an extra meeting allowance of \$220 per meeting to a maximum of \$9,006.64.

CARRIED (6-0) ORD2022 11-134

14.01.07 Risk Management Audit Committee Minutes – 1 June 2022

Moved: Cr Salter
Seconded: Cr Wright

THAT Council receive and note the Risk Management Audit Committee unconfirmed minutes from 1 June 2022 meeting, as at Attachment A.

CARRIED (6-0) ORD2022 11-135

14.01.08 Acquittal and Evaluation of myLitchfield Grant

Moved: Mayor Barden
Seconded: Cr Salter

THAT Council receive and note the report of the acquittal and evaluation of myLitchfield grant.

CARRIED (6-0) ORD2022 11-136

14.01.09 FIN02 Rating Policy

Moved: Cr Harlan
Seconded: Cr Salter

THAT Council adopt policy FIN02 Rating Policy, as at Attachment A, and authorise the Chief Executive Officer to make any minor editorial adjustments.

CARRIED (6-0) ORD2022 11-137

14.01.10 FIN04 Financial Reserves Policy

Moved: Cr Mackay
Seconded: Deputy Mayor Sharp

THAT Council adopt FIN04 Financial Reserves Policy, as at Attachment A, and authorise the Chief Executive Officer to make any minor editorial adjustments.

CARRIED (6-0) ORD2022 11-138

14.01.11 EM06 Conflict of Interest

Moved: Cr Mackay
Seconded: Mayor Barden

THAT Council:

1. resolve the report entitled EM06 Conflict of Interest be taken off the table and considered as the next item of business.
2. adopt the EM06 Conflict of Interest Policy, as at Attachment A, and authorise the Chief Executive Officer to make any minor editorial adjustments.

CARRIED (6-0) ORD2022 11-139

14.02 Council Leadership & Community Services

14.02.01 Howard Park and Knuckey Lagoon Recreation Reserves Committee Minutes

Moved: Cr Salter
Seconded: Cr Wright

THAT Council:

1. receive and note the unconfirmed Howard Park Committee Minutes of 6 June 2022, at Attachment A; and
2. receive and note the unconfirmed Knuckey Lagoon Committee Minutes of 2 June 2022, at Attachment B.

CARRIED (6-0) ORD2022 11-140

14.02.02 Draft Youth Strategy and Action Plan 2022-2025

Moved: Cr Mackay
Seconded: Cr Wright

THAT Council:

1. approves the Draft Youth Strategy and Action Plan 2022-2025 as in Attachment D to be released for public consultation; and
2. authorises the Chief Executive Officer to make minor editorial amendments as required.

CARRIED (6-0) ORD2022 11-141

14.02.03 Draft Climate Adaptation Strategy and Action Plan

Moved: Deputy Mayor Sharp
Seconded: Cr Mackay

THAT Council endorses the Draft Climate Adaptation Strategy and Action Plan 2022-2025 as in Attachment A.

CARRIED (5-1) ORD2022 11-142

14.02.04 Breach of Code of Conduct – Summary of Decision

Moved: Cr Mackay
Seconded: Mayor Barden

THAT Council receive and note the Breach of Code of Conduct Summary Decision from the Prescribed Corporation as provided in Attachment A of this report in relation to the complainant, Councillor Rachael Wright and respondent, Councillor Kevin Harlan.

Cr Harlan and Cr Wright did not vote on this item due to a conflict.

CARRIED (4-0) ORD2022 11-143

14.03 Infrastructure and Operations

14.03.01 Summary Planning and Development Report May 2022

Moved: Cr Harlan
Seconded: Cr Wright

THAT Council:

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

CARRIED (6-0) ORD2022 11-144

14.03.02 Waste Transfer Station Swipe Card and Weighbridge Feasibility Study

Moved: Deputy Mayor Sharp
Seconded: Mayor Barden

THAT Council receive and note the Waste Transfer Station Swipe Card and Weighbridge Feasibility Study report.

CARRIED (6-0) ORD2022 11-145

14.03.03 Urban Landscaping Program

Moved: Cr Mackay
Seconded: Cr Wright

THAT Council receive and note the Urban Landscaping Program report.

CARRIED (6-0) ORD2022 11-146

Cr Mackay left the meeting at 8:16pm.

Cr Mackay returned to the meeting at 8:17pm.

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

Moved: Deputy Mayor Sharp
Seconded: Cr Mackay

THAT Council:

1. lay Item 14.03.04 Public Access to a Portion of Humpty Doo Waste Transfer Station on the table until the August 2022 meeting, pending Council holding a stakeholder meeting with affected businesses and industry.
2. Staff investigate options for meeting NT EPA requirements.

CARRIED (6-0) ORD2022 11-147

Deputy Mayor Sharp left the room at 8:27pm.

Deputy Mayor Sharp returned to the meeting at 8:29pm.

14.03.05 Expiry of Interim Development Control Orders 29 and 30

Moved: Mayor Barden
Seconded: Cr Wright

THAT Council:

1. request the reinstatement of Interim Development Control Order 29 for a further two years after its expiry and;
2. request that a permanent amendment be made to the Northern Territory Planning Scheme to reinstate the control of domestic livestock into the Northern Territory Planning Scheme when Interim Development Control Order 30 lapses in August 2022.

CARRIED (6-0) ORD2022 11-148

15. OTHER BUSINESS

Moved: Deputy Mayor Sharp
Seconded: Cr Salter

THAT Council notes the below Other Business Items.

15.01 Holtze Kowandi Residential Development Areas

Cr Salter requested an update on recent correspondence from Council on the matter of the planned Holtze Kowandi residential development areas.

Response:

Interim CEO provided a response that recent correspondence in relation to Holtze Kowandi residential development areas will be circulated to Elected Members.

15.02 Update on Resident CRM on Driveway Works on Virginia Road

Deputy Mayor Sharp requested an update on correspondence received from a resident reporting unsatisfactory completed works to their driveway on Virginia Road.

15.03 CRM System Features

Deputy Mayor Sharp requested Council staff provide a summary of Litchfield Council CRM system features available including whether the system allows for automated responses after feedback received from residents advising that they are not receiving Litchfield Council CRM responses.

15.04 Mira Square Project

Cr Harlan requested a public update for the Mira Square project.

Response:

CEO to provide and open Council report on the progress of the Mira Square project.

CARRIED (6-0) ORD2022 11-149

16. CONFIDENTIAL ITEMS

Moved: Cr Mackay
Seconded: Deputy Mayor Sharp

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:

16.02.01 Breach of Code of Conduct Complaint

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.

16.02.02 Breach of Code of Conduct Complaint

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.

16.02.03 Breach of Code of Conduct Complaint – Update

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.

CARRIED (6-0) ORD2022 11-150

The meeting was closed to the public at 8:38pm.

Moved: Deputy Mayor Sharp
Seconded: Cr Mackay

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 (5-0) ORD2022 11-151

The Chair moved to the Open Session of the meeting at 8:58pm.

17. CLOSE OF MEETING

The Chair closed the meeting at 8:59pm.

18. NEXT MEETING

Tuesday 19 July 2022.

MINUTES TO BE CONFIRMED

Tuesday 19 July 2022.

.....
Deputy Mayor
Emma Sharp

.....
Interim Chief Executive Officer
Arun Dias

Unconfirmed