



# COUNCIL MINUTES

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## LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting

held in the Council Chambers, Litchfield

Tuesday 21 May 2024 at 6:00pm

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<b>Present</b>	Doug Barden Kevin Harlan Rachael Wright Andrew Mackay Emma Sharp Mathew Salter	Mayor (Chair) Deputy Mayor, Councillor Central Ward ( <i>electronically</i> ) Councillor North Ward Councillor Central Ward Councillor South Ward Councillor North Ward
<b>Staff</b>	Stephen Hoyne Rodney Jessup Ankit Pansal  Belinda Moylan Megan Leo Jill Enriquez	Chief Executive Officer Director Infrastructure and Operations HR and Records Management Program Leader ( <i>electronically and in part</i> ) Acting Executive Assistant Executive Assistant to Director Corporate and Community Acting Community Participation Officer
<b>Public</b>	As per Attendance Register	

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### 1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

On behalf of Council, the Mayor acknowledged the Traditional Custodians of the land on which they 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 6.03pm*

The Mayor 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 with Council's Recording of Council Meetings Policy.

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

#### **3.1 Electronic Attendance**

Moved: Cr Mackay

Seconded: Cr Salter

THAT Council approve Deputy Mayor Harlan to attend the meeting electronically.

**CARRIED (6/0) ORD2024 11-095**

#### **3.2 Apologies**

Moved: Cr Wright

Seconded: Cr Mackay

THAT Council accept apologies from Cr Sidey.

**CARRIED (6/0) ORD2024 11-096**

#### **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 2019* and its policies regarding the same.

#### **4.1 Elected Members**

Nil.

#### **4.2 Staff**

Nil.

## 5. PUBLIC QUESTIONS

### 5.1 Rural Potters Association – Site at Freds Pass Reserve

Ms Angela Agostini, Secretary Rural Potters Association raised the following question:

*Question: The Rural Potters Association wishes to inform the Litchfield Shire Council that a number of its representatives would like to attend the monthly shire council meeting on Tuesday 21 May 2024 to seek an update on a site at Fred's Pass Reserve for a Potters Studio and to continue this discussion.*

Response:

Rural Potter representatives were not in attendance. Update will be provided upon request.

### 5.2 Holtze Development Area April 2024

Ms Plaxy Purick raised the following questions via Webform, and response is as follows:

*What is the modelling for the intensive urbanisation of the Holtze Development area within Litchfield Council Municipality?*

The modelling for the Holtze Development Area is as determined in the Greater Holtze Area Plan. This area plan identifies the intensive urbanisation areas as well as Natural green corridors and water sensitive design. More information can be found at: <https://haveyoursay.nt.gov.au/78237/widgets/375110/documents/246489>

*Is it going to be planned exactly like another Palmerston or is it going to be developed with a transition from rural living to urbanisation?*

The specifics of the density are yet to be finalised with the lot yield and lot layout, however the details in the recent Media Release show the key development areas for the Holtze Development.

*How will the Council manage the rubbish?*

Council have reviewed options for waste management for when the first properties are made available, and it is likely that Kerb Side Collection will be made available for the Holtze Area.

*How will the Council be rating these new lots?*

All new allotments will be rated under Councils rating policy at the time the lots are made available.

*Will Council be creating another Community Hall to accommodate the additional thousands of people?*

Council are advocating for Community Purpose land portions as part of the development that may be used for facilities like Community Halls.

*Will the recreational areas align with Litchfield's mission statement priorities or Palmerston's?*

Councils mission is to remain focused on delivering the priorities in Councils Strategic Plan to help deliver on our vision for Litchfield. So any proposed recreation areas will continue this focus in prioritising services and facilities at best value for our community.

*Where within the Strategic Plan 2022-2025 priorities does this urbanisation of Holtze fit? I ask because it doesn't align with Litchfield Councils Strategic Plan.*

Council priorities include support for the development of Holtze / Kowandi in encouraging the *Our Economy and Growth* for business success and jobs growth.  
<https://www.litchfield.nt.gov.au/file/download/2905>

### **5.3 ROAD SEALING AND ROAD SEALING LEVY**

Mr and Mrs Karl and Anne Schmidt raised the following questions via Webform, and response is as follows:

*Q1/Why is Litchfield Council asking Southport residents to contribute to roadworks (road sealing) that the Federal Government have already funded under LRCl Phase III?  
(Reference:1/ letter to residents advising funding received for Southport Roads, copy attached*

*2/LC-Finance Report February 2023 (pg34); reference LRCl phase III approval received \$2,071,858.00 funding for Southport Roads, named as Aldridge street, Riverside street and Collett street.)*

*Q2/Why was there no consultation with impacted Southport residents prior to the roadworks/road sealing commencing, advising them that they would have to contribute towards the cost, even though this had been federally funded?*

*(Reference:1/ As ratepayers, Karl and Anne Schmidt confirm we were not consulted or advised that we would have to pay a Special Rates- Road Seal Levy for these works at any time in 2023.*

*2/Recording of Council Meeting April 16th, 2024.- In answer to a question about consultation with residents for the Special Rates- Road Seal Levy, The Chair, Mayor Doug Barden responded, and I quote, said, "there was consultation about the project and the work but not specifically a special rate levy")*

*Q3/On what date and at which Council Meeting did Councillors approve imposing a Special Rates- Road Seal Levy on Southport residents? Could you please provide the reference in the relevant Minutes where approval was given for this decision to impose a Special Rates- Road Seal Levy on Southport Residents.*

Response:

Writers were not present at the meeting, a response will be forwarded to the person asking the question in writing following the meeting.

#### 5.4 HUMPTY DOO WASTE TRANSFER STATION

Mr Tony Pritchard raised the following questions in person during the May Ordinary Council Meeting:

*Who gave approval to another person to place a trailer at the Waste Station to obtain old bikes?*

*Wanted to know who provided him a cease-and-desist letter and was it Council?*

*Wanted to know why he has been prevented or not allowed to take bikes from the Transfer Station, after doing so for 6 months?*

Response:

Council advised Mr Pritchard at the meeting that the process was Operational in nature.

Question was taken on notice. A written response will be forwarded to Mr Pritchard following the meeting.

#### 5.5 SOUTHPORT ROAD SEAL LEVY

Mr Barry Moriarty raised the following concerns and questions in person during the May Ordinary Council Meeting:

*Mr Moriarty stated that Council did not consult with residents correctly around the Southport Seal Levy.*

*Mr Moriarty stated that he believes there should be a review of the Southport Road Seal levy charging scheme regarding frontage per m2.*

*Mr Moriarty stated that perfectly good bitumen roads are being resealed with grant monies, and those residents fronting those roads are not paying any levy for this.*

*Mr Moriarty raised the fact he came into Council to ask about levy charges and was not provided any information.*

Response:

Question taken on Notice, Council will consider the concerns during the 2024/2025 Municipal Plan Process.

#### 5.6 SNAP SEND SOLVE – 1 February 2024

Deputy Mayor Harlan raised that matter that Snap Send Solve 4224716 from the 1 February 2024 has not yet been actioned or responded too.

Response:

Question taken on Notice, Council will follow up the Snap Send Solve and contact the complainant.

## 6 CONFIRMATION OF MINUTES

### 6.1 Confirmation of Minutes

Moved: Deputy Mayor Harlan  
Seconded: Mayor Barden

THAT Council confirm the:

- Ordinary Council Meeting held Tuesday 16 April 2024, 15 pages; and
- Ordinary Confidential Council Meeting held Tuesday 16 April 2024, 3 pages.

**CARRIED (6/0) ORD2024 11-097**

### 6.2 Council Action Sheet / Business Arising from Previous Meetings

Moved: Cr Mackay  
Seconded: Cr Wright

THAT Council receive and note Item 6.02 within the Council agenda, Council Action Sheet / Business Arising from Previous Meetings.

**CARRIED (6/0) ORD2024 11-098**

## 7. PETITIONS

Nil.

## 8. DEPUTATIONS AND PRESENTATIONS

Nil.

## 9. ACCEPTING OR DECLINING LATE ITEMS

Moved: Cr Wright  
Seconded: Cr Salter

THAT the report item 13.03.02 Naming of Shared Path Northern Australia Railway, be accepted and included under Officers Reports for consideration.

**CARRIED (6/0) ORD2024 11-099**

**10. NOTICES OF MOTION**

**Item 10.01 Notice of Motion – Establish an Advocacy and New Initiatives Committee**

Moved: Cr Sharp  
Seconded: Cr Wright

THAT Council establish an Advocacy and New Initiatives Committee, as per draft Terms of Reference attached in Attachment A.

**CARRIED (6/0) ORD2024 11-100**

**11. MAYORS REPORT**

Moved: Mayor Barden  
Seconded: Cr Wright

THAT Council receive and note Item 11.01 Mayor’s monthly report for the period 16 April 2024 to 21 May 2024.

**CARRIED (6/0) ORD2024 11-101**

**12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES**

*Updates from Appointed Representatives will be provided within the meeting when applicable reports are considered.*

Moved: Cr Mackay  
Seconded: Cr Wright

THAT Council acknowledge the verbal updates provided by the Council appointed representatives.

**CARRIED (6/0) ORD2024 11-102**

**13. OFFICERS’ REPORTS**

**13.01 Corporate and Community**

**13.01.01 Litchfield Council Finance Report – April 2024**

Moved: Cr Mackay  
Seconded: Cr Wright

THAT Council note the Litchfield Council Finance Report for April 2024.

**CARRIED (6/0) ORD2024 11-103**

**13.01.02 People, Performance and Governance Report – April 2024**

Moved: Deputy Mayor Harlan  
Seconded: Cr Wright

THAT Council note the People, Performance and Governance Report for April 2024.

**CARRIED (6/0) ORD2024 11-104**

**13.01.03 Budget Review Two – 2023/2024 and Departmental Operating Income Statement 2023/2024 and Capital Expenditure and Amended Long Term Financial Plan**

Moved: Cr Mackay  
Seconded: Deputy Mayor Harlan

THAT Council:

1. receive and note the report entitled Budget Review 2 – 2023/2024.
2. adopt Budget Review 2 – 2023/2024, pursuant to Section 203 of the *Local Government Act 2019*, amending Total Operational Income to \$21,954,890, Total Operational Expenditure to \$17,263,382 and Total Capital Expenditure to \$15,240,841; and
3. adopt the Financial Reserve movement of \$3,140,086 for 2023/2024 consisting of:
  - a) Developer Contributions Reserve reduction of \$325,905,
  - b) Waste Management Reserve reduction of \$113,617,
  - c) Asset Reserve increase of \$3,846,249; and
  - d) Thorak Regional Cemetery reduction of \$266,642.

**CARRIED (5/1) ORD2024 11-105**

**13.01.04 Draft FIN01 Asset Disposal**

Moved: Deputy Mayor Harlan  
Seconded: Cr Wright

THAT Council:

1. adopts draft FIN01 Asset Disposal Policy, as at Attachment A; and
2. authorises the Chief Executive Officer to make minor editorial changes.

**CARRIED (6/0) ORD2024 11-106**



**13.02 Executive and Community Development**

**13.02.01 Community Services and Development Monthly Report April 2024**

Moved: Cr Mackay  
Seconded: Deputy Mayor Harlan

THAT Council note the Community Services and Development Monthly Report for April 2024.

**CARRIED (6/0) ORD2024 11-107**

**13.02.02 Municipal Plan 2023-2024 Quarterly Performance Report January to March 2024**

Moved: Deputy Mayor Harlan  
Seconded: Mayor Barden

THAT Council receive the Municipal Plan 2023-2024 Quarterly Performance Report for the third quarter ending 31 March 2024.

**CARRIED (6/0) ORD2024 11-108**

**13.02.03 Sponsorship Request – Acacia Hills Motocross Association Coaching for NT Thunder Motocross Team**

Moved: Mayor Barden  
Seconded: Cr Wright

THAT Council:

1. approve the allocation of one-time funding of \$2,000.00, equivalent to a gold sponsorship, to support a 5-month training/coaching program for Team NT Thunder; and
2. endorse the utilisation of funds from the community grants scheme budget within the current 2023/24 financial year budget for this purpose.

**CARRIED (6/0) ORD2024 11-109**

**13.02.04 “Too Much Stuff” Market Partnership**

Moved: Deputy Mayor Harlan  
Seconded: Cr Wright

THAT Council support lay this matter on the table with a two month trial.

**13.02.04** "Too Much Stuff" Market Partnership (*continued from previous page*)

**AMENDMENT**

Moved: Cr Mackay

Seconded: Cr Wright

THAT Council:

1. support the delivery of the "Too Much Stuff?" recycling program by Litchfield Council;
2. approve an allocation \$1,500 for a two month trial;
3. request a report be brought to Council prior to the end of trial to assess the program; and
4. give consideration to other Reserves or locations.

**CARRIED (5/1) ORD2024 11-110**

**13.02.05** Knuckey Lagoon and Howard Park Recreational Reserve Management

Moved: Cr Salter

Seconded: Cr Wright

THAT Council:

1. receive and note the unconfirmed Knuckey Lagoon Recreation Reserve Management Committee Minutes of Thursday 18 April 2024, at Attachment A; and
2. receive and note the unconfirmed Howard Park Recreation Reserve Management Committee Minutes of Monday 8 April 2024, at Attachment B.

**CARRIED (6/0) ORD2024 11-111**

**13.03** Infrastructure and Operations

**13.03.01** Summary Planning and Development Report April 2024

Moved: Deputy Mayor Harlan

Seconded: Cr Wright

THAT Council:

1. receive the Summary Planning and Development Report April 2024.
2. note for information the responses provided to relevant agencies within Attachments A to C of this report.

**CARRIED (6/0) ORD2024 11-112**

### 13.03.02 Naming of Shared Path Northern Australia Railway

Moved: Cr Mackay

Seconded: Cr Sharp

THAT Council:

1. receive and note the request as detailed in Attachment A;
2. provide in-principle support for the naming of the shared path network (or part thereof) as outlined in Attachment A to be 'North Australia Railway Trail' or as deemed appropriate subject to further historical information and provide a letter to Place Names NT; and
3. provide delegation to the CEO to approve further documentation in relation to the naming of the shared path network as deemed necessary.

**CARRIED (6/0) ORD2024 11-113**

## 14. OTHER BUSINESS

14.1 Cr Salter questioned the disclosures made by Mayor Barden, and the currency of, the Annual Returns of Interest Register.

14.2 The Mayor offered his condolences to the family of Tony Lee following his recent passing.

## 15. CONFIDENTIAL ITEMS

Moved: Cr Wright

Seconded: Cr Salter

THAT pursuant to Section 293(1) 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:

**CARRIED (6/0) ORD2024 11-114**

*Deputy Mayor Harlan left the meeting at 8.00pm*

### 15.01 Confirmation of Confidential Minutes

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*.

8(d) information subject to an obligation of confidentiality at law, or in equity.

### 15.02 Application for Write-Off of Rate 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*.

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

**15. CONFIDENTIAL ITEMS (continued from previous page)**

**15.03 Code of Conduct Complaints – Status 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*.

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

**15.05 Breach of Code of Conduct Complaint – 10 April 2024**

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*.

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

The meeting moved to Confidential Session at 8.08pm.

Moved: Cr Mackay  
Seconded: Cr Wright

THAT pursuant to Section 293(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 (4/0) ORD2024 11-118**

The meeting moved to Open Session at 8.26pm.

***Items moved from Confidential:***

**15.02 Application for Write-Off of Rate Charges**

Moved: Cr Mackay  
Seconded: Cr Wright

THAT Council:

1. approve the write-off rates charges, totalling \$73,512.09, for Assessment 10031995, being a Dead Man's Lot;
2. make public its resolution on the matter.

**CARRIED (5/0) ORD2024 11-115**

**17. CLOSE OF MEETING**

The Chair closed the meeting at 8.27pm.

**18. NEXT MEETING**

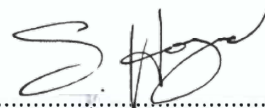
Tuesday 18 June 2024.

**MINUTES TO BE CONFIRMED**

Tuesday 18 June 2024.



.....  
Mayor  
Doug Barden



.....  
Chief Executive Officer  
Stephen Hoyne