



LITCHFIELD COUNCIL MEETING

Minutes of Meeting
held in the Council Chambers, Litchfield
on Wednesday, 19 April 2017 at 6:08pm

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 that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.

Audio Disclaimer

An Audio recording of this meeting will be made for minute taking purposes as authorised by the Chief Executive Officer.

Acknowledgement of Traditional Ownership

It is acknowledged that the meeting is held on the land of the traditional owners and Council respect the Elders past and present for their continuing custodianship of the land and the children of this land across generations.

Present	Maree Bredhauer Letchimi Wright Christine Osborn Doug Barden	Mayor Deputy Mayor / Councillor North Ward Councillor Central Ward Councillor South Ward
Staff	David Kingston Wendy Smith Silke Reinhart Karina Gates David Jan	Acting Chief Executive Officer Acting Director Infrastructure & Operations Acting Director of Community & Corporate Services Finance Manager Governance Officer
Public	Sue Douglass	Berry Springs

1. OPENING OF THE MEETING

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

2. APOLOGIES AND LEAVE OF ABSENCE

Kirsty Hunt - Councillor West Ward – Leave of Absence.

3. CONFIRMATION OF MINUTES

Moved: Cr Osborn

Seconded: Cr Barden

THAT the full minutes of the Council Meeting held 15 March 2017, 13 pages, be confirmed.

CARRIED-17/0057

4. BUSINESS ARISING FROM THE MINUTES

Moved: Cr Wright

Seconded: Cr Osborn

THAT the Action Plan be received and noted with the following changes:

Signage, Roadside Vans and Events on Council Land

THAT officers report to Council with options to ensure community events can be held, in view of the recent request from Scouts to hold a car boot sale on the car park opposite the Humpty Doo Village.

CARRIED-17/0058

5. CONFLICT OF INTEREST

Cr Barden referred to item 14.9 - April 2017 Summary Planning and Mining Report and disclosed a personal interest as a property owner mentioned within the report.

Cr Barden will leave the meeting and will not present while this item is being considered nor will he participate in any decision in relation to the item.

6. PRESENTATIONS

Nil.

7. PETITIONS

Nil.

8. PUBLIC FORUM

8.1 Sue Douglass - Berry Springs

Ms Douglass raised the Carveth and William Road Upgrade.

The Mayor advised item 14.7 Carveth and William Road Upgrade was before Council tonight for consideration and invited Ms Douglass to comment. Ms Douglass declined.

9. ACCEPTING DECLINING LATE ITEMS

Nil.

10. NOTICES OF MOTION

Nil.

11. MAYORS REPORT

Moved: Cr Osborn

Seconded: Cr Barden

THAT Council note the Mayor's verbal report.

CARRIED-17/0059

12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

Councillors appointed by Council to external committees provided an update, where relevant, in the previous item (verbal update on activities).

Moved: Cr Wright

Seconded: Cr Osborn

THAT Council note the Councillors' verbal report.

CARRIED-17/0060

13. FINANCE REPORT

13.1 Council Finance Report – March 2017

Moved: Cr Wright
Seconded: Cr Barden

THAT Council receives the Litchfield Council Finance report for the period ended 31 March 2017.

CARRIED-17/0061

14. OFFICERS REPORTS

14.1 Executive Service Quarterly Report – Jan – March 2017

Moved: Cr Wright
Seconded: Cr Osborn

THAT Council receives the Executive Services quarterly report for the period January to March 2017.

CARRIED-17/0062

14.2 Infrastructure and Operations Quarterly Report – Jan – March 2017

Moved: Cr Osborn
Seconded: Cr Barden

THAT Council receives and notes the Infrastructure and Operations quarterly report for the period January to March 2017.

CARRIED-17/0063

14.3 Community and Corporate Services Quarterly Report – Jan – March 2017

Moved: Cr Barden
Seconded: Cr Osborn

THAT Council receives and notes the Community and Corporate Services quarterly report for the period January to March 2017.

CARRIED-17/0064

14.4 2017 National General Assembly of Local Government

Moved: Cr Barden

Seconded: Cr Wright

THAT Council:

1. notes the upcoming 2017 National General Assembly of Local Government in Canberra from 18-21 June; and
2. approves the Mayor and Chief Executive Officer attending the event.

CARRIED-17/0065

14.5 Animal Management By-laws – Consideration of Public Submissions

Moved: Cr Osborn

Seconded: Cr Wright

THAT Council approve the following amendments to the Animal Management By-laws that have resulted after consideration of all public submissions:

1. **By-laws 27(4)(c)(i) and 28(4)(c)(i)** provide a defence in the case of a dog attack or menace that occurs on private property where the person who was attacked or menaced ***'was not proceeding by the shortest practical route from the boundary of the premises to the door of the premises...'***. This is the same wording used in the Summary Offences Act but it is not practical in the rural area, where properties are larger and there is often no clear path to the front door. It is recommended that this wording be amended so it reads, ***'at the time of the attack (or menace), the person was on the premises without reasonable excuse'***. This is the wording that is used in the City of Darwin By-laws and the onus is then on the person who is attacked (or menaced) to prove that they had reasonable excuse to be on the property at the time.
2. **By-law 21(1)** outlines registration conditions for dangerous dogs and it is recommended that the condition, ***'erect signage on the premises where the dog is usually or regularly kept with the words "Warning Dangerous Dog" clearly visible and legible from the front boundary of the premises'*** is included as a condition.
3. **By-law 23(1)(b)(iii)** refers to ***'all or more than a specified number of dogs of a specified breed'*** being prohibited in an area that Council declare a dog restriction area. This should be changed to, ***'all or more than a specified number of dogs of a specified class'*** as the NT does not have any breed restrictions and Council may want to prohibit a 'class' of dogs such as declared dangerous dogs from dog restriction areas.

14.5 Animal Management By-laws – Consideration of Public Submissions (Cont)

4. **By-law 23(4)** states, *'The Council must consider any response from members of the public to the notice mentioned in clause (2) before declaring the area to be a dog restriction area'*. The clause that 23(4) refers to should be *'clause (3)'*.

CARRIED-17/0066

14.6 2017 Local Government Elections – Proposed Candidate Information

Moved: Cr Wright
Seconded: Cr Osborn

THAT Council receive and note the 2017 Local Government Elections – Proposed Candidates Information Sessions report.

CARRIED-17/0067

14.7 Carveth and William Road Upgrade

Moved: Cr Wright
Seconded: Cr Osborn

THAT Council:

1. Rescind the 4-part resolution of the September 2016 Council meeting, namely:
 1. *THAT a special rate scheme be prepared for the properties that abut Carveth and Williams Roads to contribute an amount per property of \$4,010 towards the sealing of these roads in 2017-18.*
 2. *THAT the property owners in Carveth and Williams Rd be advised in writing of Council's decision.*
 3. *THAT the Developer provide a Bank Guarantee for the sum of \$709,852 to the Litchfield Council being the monies payable under its Developer Contribution Plan.*
 4. *THAT an amount of \$470,000 be provided in the Litchfield Council's 2017-18 Budget for the construction of Carveth and William Road.*
2. Request Council officers explore upgrade options and identify funding options for the proposed upgrade work to Carveth Road and William Road, Berry Springs; and
3. Write to all stakeholders and inform them of Council's resolutions in regards to the project.

CARRIED-17/0068

Cr Barden called for a Division.

Mayor Bredhauer, Deputy Mayor Cr Wright and Cr Osborn voted in favour of the motion.

Cr Barden voted against the motion.

14.8 Development Application 35 & 31 Fairweather Crescent, Coolalinga

Moved: Cr Wright

Seconded: Cr Osborn

THAT Council received for information Attachment B, Council's Letter of Comment for PA2017/0123, a Development Application for 35 x 2 bedroom multiple dwellings in a 1 x 4 storey building at Section 6514 and Section 6515 (35 & 31) Fairweather Crescent, Coolalinga, Hundred of Bagot, the assessment of which is summarised above and reviewed in detail within the body of this report.

CARRIED-17/0069

Cr Barden left the meeting at 7:45pm.

14.9 April 2017 Summary Planning and Mining Report

Moved: Cr Osborn

Seconded: Cr Wright

THAT Council:

1. Receive the April 2017 Summary Planning and Mining Report; and
2. Notes for information the responses provided to Development Assessment Services within Attachment A to this report.

CARRIED-17/0070

Cr Barden returned to the meeting at 7:47pm.

15. COMMON SEAL

15.1 Change of Name - Use of the Common Seal

Moved: Cr Wright
Seconded: Cr Osborn

THAT Council approve the use of the Common Seal on the:

1. Application to Note Change of Name, and
2. Application to Deposit Duplicate Certificate as to title.

CARRIED-17/0071

16. OTHER BUSINESS

Nil.

17. PUBLIC QUESTIONS

17.1 Sue Douglass – Berry Springs

Ms Douglass raised a question in regards to the dust on William and Carveth Roads.

The Mayor advised the Council have made a commitment to carry out works as per item 14.7.

The Acting CEO advised the Council is also addressing the issue of better managing the dust.

Ms Douglass referred to a submission in 2008 that was declined due to the lack of residents which is not the current situation.

The Mayor thanked Ms Douglass for her comments.

18. CONFIDENTIAL ITEMS

Nil.

19. CLOSE OF MEETING

The Chair closed the meeting at 7.49 pm.

20. NEXT MEETING

Wednesday, 17 May 2017.

MINUTES TO BE CONFIRMED

Wednesday 17 May 2017



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Mayor of Litchfield
Maree Bredhauer



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Chief Executive Officer
Kaylene Conrick