

**MINUTES OF THE LITCHFIELD COUNCIL MEETING
HELD ON WEDNESDAY 18 MAY 2016
AT COUNCIL CHAMBERS, BEES CREEK ROAD, FRED'S PASS**

Present	Maree Bredhauer Letchimi Wright Kirsty Hunt Doug Barden Christine Osborn	Mayor Councillor North Ward Councillor East Ward Councillor South Ward Councillor Central Ward
Staff	Kaylene Conrick Stuart Totham Wendy Smith Karina Gates Peter Reeve Rachelle Dunk	Chief Executive Officer Acting Director of Corporate & Community Services Planning Manager Finance Manager Acting Director Operations Acting Executive Assistant
Public	Anna Malgonzenicz Lyle Hebb Penny Hart Gerry Wood Ms Muir Carolyn Reynolds	Acacia Hills Acacia Hills Karama Howard Springs Nightcliff Lake Bennett

1. OPENING OF MEETING

The Mayor opened the Meeting at 6.04pm welcoming members of the public.

Audio Disclaimer

An audio recording of this meeting is being made for minute taking purposes as authorised by the Chief Executive Officer.

Acknowledgement

The Mayor acknowledged that the meeting was held on the traditional country of the Larrakia people and paid her respects to the Elders past and present for their continuing custodianship of the land and the children of this land across generations.

2. APOLOGIES AND LEAVE OF ABSENCE

2.1 Acceptance of Apologies and Leave of Absence

Nil

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CHAIR – COUNCILLOR HUNT



CHIEF EXECUTIVE OFFICER

3. CONFIRMATION OF MINUTES

3.1 THAT the Minutes of the Council Meeting held Wednesday 20 April 2016, 13 pages as circulated are confirmed.

Moved: Cr Hunt

Seconded: Cr Barden

CARRIED

4. BUSINESS ARISING FROM THE MINUTES

4.1 THAT the Action List to 20 April 2016 is received and noted.

Moved: Cr Hunt

Seconded: Cr Wright

CARRIED

5. CONFLICTS OF INTEREST

Nil

6. PRESENTATIONS

Nil

7. PUBLIC FORUM

Anna Malgonzenicz

Page 38 I read with note in interest that the future proposed 10 year waste management strategy is suggesting the potential for the introduction of a fee service.

Question: Is there an intention to introduce dumping charges in addition to the waste fees that ratepayers already pay? And I remind Council that ratepayers are already paying an additional \$50.00 special fee for the construction of the Humpty Doo Waste Transfer Station.

Mayor Response: Council will be developing a 10 year Waste Management Plan within the coming months. All matters relating to the operations of Council's Waste Transfer Stations will be examined as part of the development of the Plan. Your concerns are noted.

Carolyn Reynolds

Last meeting I asked Council if they could get some type of information from Intrapac and I believe that has happened, thank you very much. Since that time you have now produced the NT Balanced Environmental Strategy, which looks most interesting. I would just like to put it on the record that within our community there are many people looking closely at the amount of development that is happening in and around the community and I would just like to reiterate that I recognise full well that we have an extremely vigorous and robust planning process in the Northern Territory, whereby the Litchfield Council, the Councillors and the NT Government have an opportunity along with all the CEOs of the departments and the department executives, to comment on all aspects of planning. I think it

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CHAIR – COUNCILLOR HUNT



CHIEF EXECUTIVE OFFICER

is behoven and would ask possibly if Litchfield Council could put out to their tax payers an understanding of your involvement in that planning process so they are assured that any concerns and any information is not falling on deaf ears. So that they can be confident that there are no conflicts of interest, that there are no people who are causing wanton harm or destruction without careful consideration to the plans that are put on place.

Question: Are the councillors confident that they are doing everything possible for the electorate of Goyder and the Litchfield Shire to support them in the understanding of all the planning applications that are currently before the Government and the people to comment on and are you making enough time to make adequate comment?

Mayor Response: Just for clarification are you asking is the Council confident that we have a full understanding of the planning process and are we giving it full consideration, enough time to have considered answers.

Ms Reynolds responded in the affirmative.

Mayor Response: I think I can confidently speak for Council that the answer to both those questions is yes.

Gerry Wood, Independent Member for Nelson:

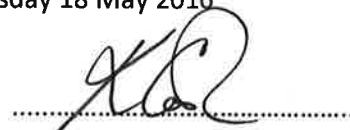
There are a number of items in there that I have commented on. One of them I note is about the demountables at Knuckeys Lagoon. Maybe you could take this up as an issue in relation to the definition of a container. Some time ago I wrote to the government and I said look people have got containers on their blocks, it is ridiculous if they have to go and get approvals for say two containers, the building board might have to deal with it as they are supposed to be tied down, but having to go and get approval for two containers would require about 50% of the rural area to go and get approvals. So they said ok they will allow two demountables, so instead of taking containers and using that as a separate item under definitions, they included containers under the definition of demountables, so when that advertisement went out for Knuckeys Lagoon, it went out as someone was applying for five demountables, in actual fact I rang the owner as I had someone call me and say a workers camp is going there and 30 people are going to live on that block in Knuckeys Lagoon. So when I rang him he said no they are 5 containers and he wants to use them for his business and his father and his family are the only people living on the block. Maybe it's something worth, to save confusion, that containers has a different definition under the planning scheme then being buried in the definition of demountables. I actually supported that particular one as long as it wasn't a workers camp.

I have concerns about the Lawnton Road development, you have on agenda tonight. I think we have to try and protect the wetlands, Daly's creek as it's called, crossing Cox Peninsula Road is a major wetland, it's not one that's in the high priority, but it's still one that's a major wetland. And we need to make sure that those wetlands are not subdivided and nor have inappropriate fire breaks on the wet part of the wetland, they should be upstream on dry land so they can be maintained. That subdivision has crept back to the previous design to try and get the maximum number of blocks that he had originally applied for.

The other issue for me was just to thank you for your support on some of the issues that are going around at the moment. The issue of the subdivision on Howard Springs, people tend to think I'm the



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CHIEF EXECUTIVE OFFICER

only one person in the world who speaks on these issues, Council spoke up quite clearly that they didn't approve it and so did some other people, so I thank you for that. The two big issues in our area really are the activity centres and Noonamah ridge, and I'm having a meeting with the Chief Minister next week. I do believe that we have to speak up more if we believe in proper planning, I'm not saying that you have to agree with everything I say, but I have always supported the original plan for Litchfield which was villages, rural area and Wadell, somehow I have ended up on the bad side of planning because I supported what the government originally said would happen for this area and they have changed their mind. I think it's important that we fight to the end you might say because once the land is zoned, especially private land, it will be very hard to bring that land back to what it was before, and I just think that we have to do our best, it's not about non-development, it's about developing and keeping with the original plan and still allowing us to grow. I just thank the council, I know you have been working hard too and it's a very difficult issue.

One other thing, there is a subdivision going on in my part of the world, I hope you will look into the footpaths in that subdivision, Christine might have raised it but one footpath drops straight into the drain and the other footpath doesn't connect with the footpath near the vet. And you might look into the tree planting for that subdivision, I don't know if they were approved by Council, it is the red leafed hibiscus which does require maintenance because you can't have a tree growing low on a street because you have to have vision for cars and pedestrians, I'm not sure whether it was picked by the developer or approved by DCA, but it might be a tree that causes you some maintenance in the future.

Mayor Response: In answer to question – yes we do get your emails.

8. ACCEPTING OR DECLINING LATE ITEMS

THAT Council accept two late items relating to the Tender – Upgrading of Anzac Parade, Middle Point:

1. Awarding of the Contract; and
2. Confidential Item - Evaluation of Tender – Upgrading of Anzac Parade, Middle Point

Moved: Cr Wright

Seconded: Cr Hunt

CARRIED

Late Item – awarding of Contract – Upgrading of Anzac Parade, Middle Point

That Council:

1. Awards Tenders RFT 16-133 Upgrading of Anzac Parade, Middle Point to Coleman Contracting and Earth Moving Pty Ltd for the lump sum of \$953,713.73 exclusive of GST and \$1,049,085.10 inclusive of GST
2. Authorises the Chief Executive officer to sign all necessary documentation related to Tender RFT 16-133 Upgrading of Anzac Parade, Middle Point; and
3. Advises the unsuccessful tenderers accordingly

Moved: Cr Wright

Seconded: Cr Osborn

CARRIED



CHAIR – COUNCILLOR HUNT



CHIEF EXECUTIVE OFFICER

9. NOTICES OF MOTION

Mayor Maree Bredhauer
That Council

1. supports the NO MORE campaign which seeks to promote awareness of family violence and reduce the number of incidents;
2. acknowledges the need to urgently reduce family violence incidents with two women killed per week in Australia by family violence and that indigenous women experience disproportionately high levels of family violence;
3. formally signs up as "a supporter" to the NO MORE CatholicCare NT campaign to raise awareness; and
4. explores opportunities to promote greater awareness of this matter.

Moved: Mayor Bredhauer
Seconded: Cr Barden

CARRIED

Councillor Christine Osborn
That Council

1. supports the United Nations awareness campaign to prevent abuse of older people and recognises that abuse is often emotional and financial, as well as physical;
2. acknowledges that preventing elder abuse is everyone's business;
3. encourages councillors and staff to wear purple on *World Elder Abuse Awareness Day* 15 June 2016 to raise awareness of elder abuse and other challenges older people face;
4. invites the Council of the Ageing (NT) to address, or recommend a guest speaker to address, Council at its 15 June 2016 Meeting on the matter of elder abuse and how Council and Communities can work together to end elder abuse.

Moved: Cr Osborn
Seconded: Cr Wright

CARRIED

10. MAYORS REPORT

1. THAT Council receive the Mayor's report.

Moved: Cr Osborn
Seconded: Cr Hunt

CARRIED

11. REPORTS FROM COUNCIL APPOINTED REPRESENTATIVES

- 11.1 THAT Council receive the verbal reports from Council Appointed Representatives.

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CHAIR – COUNCILLOR HUNT



CHIEF EXECUTIVE OFFICER

Moved: Cr Osborn
Seconded: Cr Barden

CARRIED

12. FINANCE REPORT

12.1 Financial Report April 2016

THAT Council receive the Litchfield Council monthly Financial Report for April 2016 Report Number 16/0096

Moved: Cr Hunt
Seconded: Cr Wright

CARRIED

13. OFFICERS REPORTS

13.1 Waste Transfer Station Audit 16/0097

THAT Council

1. undertakes the following works at the Berry Springs Waste Transfer Site to improve public and staff safety at the estimated costs outlined:

1.	Video surveillance	\$10,000.00
2.	Gate house	\$30,000.00
3.	Electricity supply	\$15,000.00
4.	Water tank	\$3,000.00
5.	400 metre new fencing and repairs	\$20,000.00
6.	Raise concrete pads – Berry Springs Raise concrete pads – Howard Springs (opportunity due to economies of scale)	\$10,000.00
7.	Installation of waste performance boards Berry Springs	\$2,000.00
	Total Estimated Cost	\$90,000.00

2. fund the works from Council's Waste Management Reserve
3. explores the staffing of the gatehouse as part of developing Council's 10 Year Waste Management Strategy.
4. Undertakes a community awareness campaign to communicate the upgrade to residents

Moved: Cr Hunt
Seconded: Cr Wright

CARRIED

13.2 Application for Rate Concession 10020931 16/0098

THAT Council

1. Grant a rate concession for assessment 10020931 for the remission of interest for the financial year 2015/2016 of \$31.99; and

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CHIEF EXECUTIVE OFFICER

2. Write off legal costs of \$5,160.40 incurred in the process of recovering outstanding rates for assessment 10020931

Moved: Cr Wright
Seconded: Cr Barden

CARRIED

13.3 Application for Rate Concession 10109122 16/0092

THAT Council approves a rate concession for assessment 10109122 a deferment in whole of rates, charges and interest for the financial year 2015/2016 rates.

Moved: Cr Hunt
Seconded: Cr Osborn

CARRIED

13.4 NT Balanced Environment Strategy 16/0099

1. THAT Council receive Report Number 16/0099

Moved: Cr Wright
Seconded: Cr Barden

CARRIED

THAT Council deal with Items 13.5, 13.6 and 13.7 a block

Moved: Cr Wright
Seconded: Cr Hunt

CARRIED

13.5 EMEL31233, an Extractive Mineral Exploration Licence Application at NT Portion 4477, PPL1147 16/0100

THAT Council:

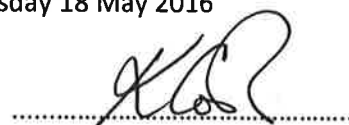
1. Support EMEL31233, an Extractive Mineral Exploration Licence Application
2. Endorse Councils Letter of Comment (Attachment B), for EMEL31233, an Extractive Mineral Exploration Licence Application at NT Portion 4477, PPL1147.
 - a. Council has no comments in relation to the proposed EMEL, as Council infrastructure is not affected.

13.6 EML31232, an Extractive Mineral Lease Application at Section 1581, Hundred of Colton 16/0101

THAT Council:



CHAIR – COUNCILLOR HUNT



CHIEF EXECUTIVE OFFICER

1. Support EML31232, an Extractive Mineral Lease Licence Application
2. endorse Councils Letter of Comment (Attachment B), for EML31232, an Extractive Mineral Lease Application at Section 1581, Hundred of Colton.
 - a. Should any access be proposed from any road owned by Litchfield Council, Council requires information regarding the location of the proposed access and construction of the access to Litchfield Council's industrial standards. A Works Permit may be required from Litchfield Council before commencement of any work within the road reserve.
 - b. Should there be any proposal for vehicles associated with this use to utilise any Litchfield Council roads, Council requires a Traffic Management Plan, including details of haulage routes, traffic quantities and destination of materials. Additionally, Council may require the upgrading of the subject road(s) to Council's requirements.
 - c. Council requires an Environmental Management Plan, to Council's satisfaction. The plan should address, but may not be limited to: dust, noise, stormwater runoff, containment of contaminants, flora and fauna.

13.7 EMP31231, an Extractive Mineral Permit Application at Section 1581, Hundred of Colton 16/0102

THAT Council:

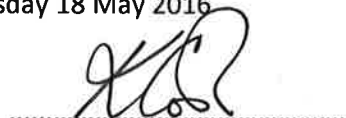
- 1 Support EMP31232, an Extractive Mineral Permit Application
2. endorse Councils Letter of Comment (Attachment B), for EMP31231, an Extractive Mineral Permit Application at Section 1581, Hundred of Colton.
 - a. Should any access be proposed from any road owned by Litchfield Council, Council requires information regarding the location of the proposed access and construction of the access to Litchfield Council's industrial standards. A Works Permit may be required from Litchfield Council before commencement of any work within the road reserve.
 - b. Should there be any proposal for vehicles associated with this use to utilise any Litchfield Council roads, Council requires a Traffic Management Plan, including details of haulage routes, traffic quantities and destination of materials. Additionally, Council may require the upgrading of the subject road(s) to Council's requirements.
 - c. Council requires an Environmental Management Plan, to Council's satisfaction. The plan should address, but may not be limited to: dust, noise, stormwater runoff, containment of contaminants, flora and fauna.

13.8 PA2016/0209, a Development Application for addition to existing caravan park of 3 demountable structures to provide accommodation for 11 people at Section 5369 (1807) Stuart Highway, Noonamah, Hundred of Strangways 16/0103

THAT Council:



CHAIR – COUNCILLOR HUNT



CHIEF EXECUTIVE OFFICER

1. endorse Attachment B, Council's Letter of Comment for PA2016/0209, a Development Application for addition to existing caravan park of 3 demountable structures to provide accommodation for 11 people at Section 5369 (1807) Stuart Highway, Noonamah, Hundred of Strangways, the assessment of which is summarised above and reviewed in detail within the body of this report.

Moved: Cr Barden

Seconded: Cr Osborn

CARRIED

13.9 PA2016/0254, a Development Application for clearing of native vegetation at Section 222 and Section 223 (310 and 390) Acacia Gap Road, Manton, Hundred of Colton 16/0104

THAT Council:

1. endorse Attachment B, Council's Letter of Comment for PA2016/0254, a Development Application for clearing of native vegetation at Section 222 and Section 223 (310 and 390) Acacia Gap Road, Manton, Hundred of Colton, the assessment of which is summarised above and reviewed in detail within the body of this report.

Moved: Cr Wright

Seconded: Cr Hunt

CARRIED

13.10 Amend Boundary of Holtze and Yarrawonga 16/0105

THAT Council provide comments to the Place Names Committee indicating that Council supports the entirety of Lot 11976 be located solely in Yarrawonga, Town of Palmerston

Moved: Cr Osborn

Seconded: Cr Barden

CARRIED

THAT Council deal with Items 13.11, 13.12, 13.13, 13.14, 13.15, 13.16, 13.17, 13.18 and 13.19 as a block

Moved: Cr Wright

Seconded: Cr Hunt

CARRIED

13.11 PA2015/0267, a Development Application for additions and alterations to existing barramundi farm (intensive animal husbandry) at Section 1624 (1125) Anzac Parade, Middle Point, Hundred of Guy 16/0106

THAT Council



CHAIR – COUNCILLOR HUNT



CHIEF EXECUTIVE OFFICER

1. endorse Attachment B, Council's Letter of Comment for PA2016/0267, a Development Application for additions and alterations to existing barramundi farm (intensive animal husbandry) at Section 1624 (1125) Anzac Parade, Middle Point, Hundred of Guy, the assessment of which is summarised above and reviewed in detail within the body of this report

13.12 PA2015/0775, a Development Application for 5 x demountable structures in association with home based contracting at Section 4092 (61) Brandt Road, Knuckey Lagoon, Hundred of Bagot 16/0107

THAT Council

1. endorse Attachment B, Council's Letter of Comment for PA2015/0775, a Development Application for 5 x demountable structures in association with home based contracting at Section 4092 (61) Brandt Road, Knuckey Lagoon, Hundred of Bagot, the assessment of which is summarised above and reviewed in detail within the body of this report

13.13 PA2016/0220, a Development Application for a shed addition to an existing single dwelling with reduced side setback at Lot 31 (35) Brewerton Road, McMinns Lagoon, Hundred of Strangways 16/0108

THAT Council

1. endorse Attachment B, Council's Letter of Comment for PA2016/0220, a Development Application for a shed addition to an existing single dwelling with reduced side setback at Lot 31 (35) Brewerton Road, McMinns Lagoon, Hundred of Strangways, the assessment of which is summarised above and reviewed in detail within the body of this report.

13.14 PA2016/0229, a Development Application for subdivision to create 3 lots at Section 5732 (139) Eucalyptus Road, Herbert, Hundred of Strangways 16/0109

THAT Council

1. endorse Attachment B, Council's Letter of Comment for PA2016/0229, a Development Application for subdivision to create 3 lots at Section 5732 (139) Eucalyptus Road, Herbert, Hundred of Strangways, the assessment of which is summarised above and reviewed in detail within the body of this report.

13.15 PA2016/0236, a Development Application for clearing of native vegetation at Section 2350 (545) Hopewell Road, Berry Springs, Hundred of Cavenagh 16/0110

THAT Council



CHAIR – COUNCILLOR HUNT



CHIEF EXECUTIVE OFFICER

1. endorse Attachment B, Council's Letter of Comment for PA2016/0236, a Development Application for clearing of native vegetation at Section 2350 (545) Hopewell Road, Berry Springs, Hundred of Cavenagh, the assessment of which is summarised above and reviewed in detail within the body of this report.

13.16 PA2016/0275, a Development Application for subdivision to create 3 lots at Section 2514 (525) Kentish Road, Livingstone, Hundred of Cavenagh 16/0111

THAT Council

1. endorse Attachment B, Council's Letter of Comment for PA2016/0275, a Development Application for subdivision to create 3 lots at Section 2514 (525) Kentish Road, Livingstone, Hundred of Cavenagh, the assessment of which is summarised above and reviewed in detail within the body of this report.

13.17 PA2016/0247, a Development Application for changes to DP15/0504 to create an additional 28 lots at Section 1741 and Section 1747 (175 and 350) Lawton Road, Blackmore, Hundred of Cavenagh 16/0112

THAT Council

1. endorse Attachment B, Council's Letter of Comment for PA2016/0247, a Development Application for changes to DP15/0504 to create an additional 28 lots at Section 1741 and Section 1747 (175 and 350) Lawton Road, Blackmore, Hundred of Cavenagh, the assessment of which is summarised above and reviewed in detail within the body of this report.

13.18 PA2016/0196, a Development Application for shop including a drive through liquor outlet in a single storey building and mezzanine function area at Section 4768, Section 5124, Section 5215, Section 5126, Section 5127, Section 5131, and Section 5132 (883 and 881) Stuart Highway and (2, 4, 6, 14, and 16) Mander Road, Holtze, Hundred of Bagot 16/0113

THAT Council

1. endorse Attachment B, Council's Letter of Comment for PA2016/0196, a Development Application for shop including a drive through liquor outlet in a single storey building and mezzanine function area at Section 4768, section 5124, Section 5215, Section 5126, Section 5127, Section 5131, and Section 5132 (883 and 881) Stuart Highway and (2, 4, 6, 14, and 16) Mander Road, Holtze, Hundred of Bagot, the assessment of which is summarised above and reviewed in detail within the body of this report.

13.19 PA2016/0197, a Development Application for a 60m high telecommunications tower with associated antennas and equipment in shelter at Section 2541 (430) Mira Road, Hundred of Cavenagh 16/0114

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CHIEF EXECUTIVE OFFICER

THAT Council

1. endorse Attachment B, Council's Letter of Comment for PA2016/0197, a Development Application for a 60m high telecommunications tower with associated antennas and equipment in shelter at Section 2541 (430) Mira Road, Hundred of Cavenagh, the assessment of which is summarised above and reviewed in detail within the body of this report.

13.20 PA2016/0208, a Development Application for animal boarding at Lot 22 (50) Pheasant Drive, McMinns Lagoon, Hundred of Strangways 16/0115

THAT Council

1. endorse Attachment B, Council's Letter of Comment for PA2016/0208, a Development Application for animal boarding at Lot 22 (50) Pheasant Drive, McMinns Lagoon, Hundred of Strangways, the assessment of which is summarised above and reviewed in detail within the body of this report.

Moved: Cr Hunt
Seconded: Cr Wright

CARRIED

13.21 PA2016/0244, a Development Application for subdivision to create 40 lots in 3 stages at Section 2747 and Section 2748 (45) Stockwell Road, Blackmore, Hundred of Cavenagh 16/0116

THAT Council

1. endorse Attachment B, Council's Letter of Comment for PA2016/0244, a Development Application for subdivision to create 40 lots in 3 stages at Section 2747 and Section 2748 (45) Stockwell Road, Blackmore, Hundred of Cavenagh, the assessment of which is summarised above and reviewed in detail within the body of this report.

Moved: Cr Osborn
Seconded: Cr Barden

CARRIED

13.22 PA2016/0213, a Development Application for subdivision to create four lots at Lot 18 (110) Trippe Road, Humpty Doo, Hundred of Strangways 16/0117

THAT Council

1. endorse Attachment B, Council's Letter of Comment for PA2016/0213, a Development Application for subdivision to create four lots at Lot 18 (110) Trippe Road, Humpty Doo, Hundred of Strangways, the assessment of which is summarised above and reviewed in detail within the body of this report.



CHAIR – COUNCILLOR HUNT



CHIEF EXECUTIVE OFFICER

Moved: Cr Barden
Seconded: Cr Wright

CARRIED

14. COMMON SEAL

Recommendation:

1. THAT Council apply the common seal to accept the \$3,000,000.00 grant agreement with the Northern Territory Government for improvements to Fred's Pass Recreation Reserve.

Moved: Cr Hunt
Seconded: Cr Osborn

CARRIED

15. OTHER BUSINESS

Nil

16. QUESTIONS FROM THE PUBLIC

The questions raised will be paraphrased and summarised.

Nil

17. CONFIDENTIAL ITEMS

THAT

1. pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public at 7.02pm to consider the following Confidential Items:-

Late Item 17.01 Contract Evaluation Report 16/0118

Regulation 8(c)(i) Reason - information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be re-opened to the public at 7.05pm

Moved: Cr Osborn
Seconded: Cr Wright

CARRIED

The meeting moved to the Open Session at 7.05pm

18. NEXT MEETING 6:00pm Wednesday 15 June 2016

19. CLOSE OF MEETING The meeting closed at 7.06pm

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CHAIR – COUNCILLOR HUNT



CHIEF EXECUTIVE OFFICER

