



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Meeting
held in the Council Chambers, Litchfield
on Wednesday, 15 November 2017 at 6:33pm

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| Present | Maree Bredhauer Kirsty Hunt Doug Barden Mathew Salter Christine Simpson | Mayor Deputy Mayor / Councillor East Ward Councillor South Ward Councillor North Ward Councillor Central Ward |
| Staff | Kaylene Conrick Wendy Smith Silke Maynard Audrey Heaton | Chief Executive Officer Acting Director Infrastructure & Operations Director Community & Corporate Acting Executive Assistant |
| Presenters | Dr Chris Mitchell Paul Henderson | Managing Director - Seafarms |
| Public | Rod Halligan Des Bredhauer | Virginia Humpty Doo |

1. OPENING OF THE MEETING

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

The Mayor advised that an audio recording of the meeting will be made for minute taking purposes as authorised by the Chief Executive Officer.

2. 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.

3. APOLOGIES AND LEAVE OF ABSENCE

Nil.

4. DISCLOSURES 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.

No disclosures of interest were declared.

5. CONFIRMATION OF MINUTES

Moved: Cr Simpson

Seconded: Cr Barden

THAT the minutes of the Council Meeting held 18 October 2017, 13 pages, be confirmed.

CARRIED-1718/094

6. BUSINESS ARISING FROM THE MINUTES

Moved: Deputy Mayor Hunt

Seconded: Cr Simpson

THAT Council receives and notes the Action Sheet.

CARRIED-1718/095

7. PRESENTATIONS

Dr Chris Mitchell, Managing Director – Seafarms - Project Sea Dragon (Gunn Point). Dr Chris Mitchell was accompanied by Mr Paul Henderson.

8. PETITIONS

Nil.

9. PUBLIC FORUM

Comments and questions from the public are paraphrased below.

9.1 Rod Halligan – Virginia

Mr Halligan spoke about supporting aged residents and active living. Mr Halligan is interested in Council providing more bike paths and safer options for bike riders. For Mr Halligan, his bike is his mode of transport.

Mr Halligan shared a photo of a speeding truck that he said ran him off the road when he was on his bike recently. He also said that he had been nearly run off the road three times on the way to Council Meeting tonight. Mr Halligan said that unfortunately he won't be coming to any more Council meetings because he will no longer risk his life.

Council Response

Mayor Bredhauer explained her disappointment that he will no longer come to meetings and stated that Council does understand the need for more bike options and is working towards improving that situation.

Mayor Bredhauer also mentioned that Council is advocating for pedestrian walkways and so forth, as part of the Activity Centre Area Plans, currently under development by the NT Government. In addition, Mayor Bredhauer stated that the Police needed to be more vigilant in their supervision of the roads.

Mr Rod Halligan

Mr Halligan said that he hadn't seen much Police presence in 20 years and suggested that Council consider other ways to reduce speeding such as speed cameras.

Mr Halligan said that councils in Western Australia had installed speed cameras to raise revenue and reduce speeding to make roads safer. He asked why couldn't Litchfield Council do that?

Mr Halligan said that he was still shaken by his bike trip to Council tonight. He mentioned Bees Creek Road as being particularly dangerous for anyone on a bike with people speeding along the long straight road.

The Mayor thanked Mr Halligan for his comments.

9.2 Des Bredhauer

Mr Bredhauer congratulated Cr Hunt on her interview on ABC radio this morning.

Mr Bredhauer commended Council on the Budget, in particular, the amount of money Council has received for rates in this current financial year. *(It was later explained to Mr Bredhauer that the Year to Date Actual Amount in rates represents rate revenue raised but not necessarily collected).*

Mr Bredhauer spoke to the current outstanding rates of \$1,655,249 (Page 33 of tonight's Agenda) and compared this to the same time last financial year (\$1,641,000 owing for rates) questioning why outstanding rates doesn't seem to be going down?

Council's Response

The Director of Community and Corporate Services said that prior years outstanding rate amounts were significant, with a lot of old debt that is very difficult to collect.

The Director of Community and Corporate Services referred to tonight's monthly finance report and the actions Council has been undertaking as part of a review of prior years' outstanding rates, including looking into the sale of land.

Mr Des Bredhauer

Mr Bredhauer further commented on page 160 of Council's agenda regarding the proposed independent unit in excess of 80m² with 18.5m² over the minimum area permitted and asked why does Council support over 80m²? Mr Bredhauer said that he realised that Council didn't make the final decision but that these types of applications were over the size limit.

Council Reponse

Mr Bredhauer's question was taken on notice.

In relation to item 15.8 the following information is provided:

1. The additional 18.5m² is an existing part of the whole house which will be transferred to the site. it is considered that it can preserve historical tropical design. In addition, the structure is of such a nature as for it to be impossible to reduce the size to be under the maximum 80m² area standard.
2. Comparing the overall size of the site at 17.8ha and the proposed additional size of 18.5m², it is unlikely that the additional size will result in a negative impact on the surrounding amenity.

Council consider each Planning Application on its individual merit.

Mr Des Bredhauer

Mr Bredhauer asked a further question about Power Road – if it's a road, why has it been cut off to people who use it? He said that a local resident asked him to ask Council this question as he used Power Road to get to his property on Hayball by tractor. With the Road now closed, he has to go around the long way, taking more time and using more fuel to go that way.

Council Reponse

Mr Bredhauer's question was taken on notice.

In 2015, the then Department of Transport advised Council that no cross road was permitted on a Highway, and requested that Council acted to close Power Road.

More recently, as a result of safety concerns, a rise in illegal dumping and hooning that caused damage to residents' properties, Council strengthened the closure by placing large boulders on the road preventing any through traffic. The '*No Through Road*' signage has been installed since 2015.

Mr Rod Halligan

Mr Halligan stood to support Mr Bredhauer's question regarding Power Road, stating that the boulders block bikes riders as well.

10. ACCEPTING OR DECLINING LATE ITEMS

Nil.

11. NOTICES OF MOTION

Nil.

12. MAYORS REPORT

Moved: Deputy Mayor Hunt
Seconded: Cr Barden

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

CARRIED-1718/096

13. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

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

Moved: Deputy Mayor Hunt
Seconded: Cr Simpson

THAT Council note the Councillors' verbal report.

CARRIED-1718/097

14. FINANCE REPORT

14.1 Council Finance Report – October 2017

Moved: Deputy Mayor Hunt
Seconded: Cr Salter

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

CARRIED-1718/098

15. OFFICERS REPORTS

15.1 Elected Member and Meeting Procedures Policies

The CEO informed Council that GOV02 was withdrawn from the Agenda as it was not due to be reviewed.

Moved: Deputy Mayor Hunt
Seconded: Cr Simpson

THAT Council:

1. Adopt the reviewed EM05 Elected Member Benefits and Support policy as attached to report 17/0045, with the addition of an option to request a reimbursement of up to \$50.00 monthly for internet access as an alternative to the device provided by Council;
2. Adopt the renamed EM06 Conflict of Interest policy as attached to report 17/0045; and
3. Adopt the reviewed EM07 Elected Member Gifts and Benefits policy as attached to report 17/0045.

CARRIED-1718/099

15.2 Draft Community Engagement Policy, Draft Strategy and Action Plan 2018-2021

Moved: Deputy Mayor Hunt
Seconded: Cr Simpson

THAT Council:

1. Adopts COR02 Community Engagement Policy;
2. Endorses the draft Community Engagement Strategy and Action Plan 2018 – 2021 to be released for public consultation for 21 days; and
3. Supports the CEO to trial the HQ Engagement software over the next six months, with a further report to Council at the six-month conclusion, reporting on the trial.

CARRIED-1718/100

15.3 Restructuring of Council Committees

Moved: Cr Simpson
Seconded: Cr Salter

THAT Council:

1. Abolish Howard Park Reserve Committee under Section 54 (5) Local Government Act.;
2. Establishes the Howard Park Reserve Committee with the Terms of Reference, as attached to Report Number 17/0060 (Attachment A);
3. Appoints Gerard Maley, Gerry Wood, Mary DePalma, Stephen McWilliams and Bronte Way for a term of three years to the Howard Park Reserve Committee;
4. Abolish Knuckey Lagoon Reserve Committee under Section 54 (5) Local Government Act.;
5. Establishes the Knuckey Lagoon Reserve Committee with the Terms of Reference, as attached to Report Number 17/0060 (Attachment B); and
6. Appoints Gary Gibson, Shane Walker, Hardy Schimmel, Frances Ricketts, Natalie Bell and Tove Tagell for a term of three years to the Knuckey Lagoon Reserve Committee; and
7. Rescind the policy GOV10 Recreational Reserves Committees (Attachment C).

AMENDMENT

Moved: Cr Simpson
Seconded: Cr Salter

THAT Council authorises the CEO to make editorial changes to the Terms of Reference, as required.

CARRIED

15.3 Restructuring of Council Committees (Continued)

THAT Council:

1. Abolish Howard Park Reserve Committee under Section 54 (5) Local Government Act.;
2. Establishes the Howard Park Reserve Committee with the Terms of Reference, as attached to Report Number 17/0060 (Attachment A);
3. Appoints Gerard Maley, Gerry Wood, Mary DePalma, Stephen McWilliams and Bronte Way for a term of three years to the Howard Park Reserve Committee;
4. Abolish Knuckey Lagoon Reserve Committee under Section 54 (5) Local Government Act.;
5. Establishes the Knuckey Lagoon Reserve Committee with the Terms of Reference, as attached to Report Number 17/0060 (Attachment B); and
6. Appoints Gary Gibson, Shane Walker, Hardy Schimmel, Frances Ricketts, Natalie Bell and Tove Tagell for a term of three years to the Knuckey Lagoon Reserve Committee;
7. Rescind the policy GOV10 Recreational Reserves Committees (Attachment C); and
Council authorises the CEO to make editorial changes to the Terms of Reference, as required.

CARRIED-1718/101

15.4 Tree Inspection on Council's Recreational Reserves and Thorak

Moved: Deputy Mayor Hunt

Seconded: Cr Simpson

THAT Council:

1. Receives and notes the report on Tree Inspections on Council's Recreation Reserves and Thorak Regional Cemetery;
2. endorses the proposed Tree Management Program comprising qualified tree risk assessments and works and the development of a Tree Risk Management Plan;
3. approves the allocation of up to \$70,000 from Council's Financial Infrastructure Reserve in the 2017/18 financial year to undertake immediate tree risk assessments on all recreational reserves and Thorak Regional Cemetery;
4. allocates the costs of undertaking a tree risk assessment for Thorak Regional Cemetery to Thorak Regional Cemetery;
5. refers to future budget development processes, the allocation of appropriate funds for tree risk assessments and works on all recreational reserves and Thorak Regional Cemetery;

15.4 Tree Inspection on Council's Recreational Reserves and Thorak (Continued)

6. refers the development of a Tree Risk Management Plan to the 2018/19 Budget development process as a new initiative; and
7. endorses the inclusion in recreation reserve agreements of clear roles and responsibilities regarding tree management and tree risk assessments.

A Division was called:

For: Cr Barden
 Cr Salter
 Deputy Mayor Hunt
 Cr Simpson
 Mayor Bredhauer

Against: Nil.

CARRIED-1718/102

15.5 GOV01 Policy Framework

Moved: Cr Barden
Seconded: Cr Simpson

THAT Council adopts the updated GOV01 Policy Framework.

CARRIED-1718/103

15.6 GOV04 Whistleblowing

Moved: Deputy Mayor Hunt
Seconded: Cr Simpson

THAT Council adopts the GOV04 Whistleblowing policy as attached to Report Number 17/0052.

CARRIED-1718/104

15.7 PA2017/0284, a Concurrent Application for a rezoning from Zone R (Rural) to Zone RL (Rural Living) and a subdivision to create 3 lots at Lot 9 (35) Finn Road, Berry Springs, Hundred of Ayers

Moved: Cr Barden
Seconded: Cr Simpson

THAT Council endorse Attachment B, Council's Letter of Comment for PA2017/0285, a Concurrent Application for a proposal at Lot 9 (35) Finn Road, Berry Springs, Hundred of Ayers, the assessment of which is summarised above and reviewed in detail within the body of this report.

CARRIED-1718/105

15.8 November 2017 Summary Planning and Mining Report

Moved: Cr Simpson
Seconded: Deputy Mayor Hunt

THAT Council:

1. Receive the November 2017 Summary Planning and Mining Report;
2. Notes for information the responses provided to Development Assessment Services within Attachments A, B, C, and D to this report; and
3. Notes for information the responses provided to the Department of Primary Industries and Resources within Attachment E to this report.

CARRIED-1718/106

15.9 PA2017/0341, a Planning Scheme Amendment Application to Introduce Provisions in the NT Planning Scheme for the Use of a Helicopter Landing Site

Moved: Cr Simpson
Seconded: Deputy Mayor Hunt

THAT Council endorse Attachment B, Council's Letter of Comment for PA2017/0341, a Planning Scheme Amendment Application to Introduce Provisions in the NT Planning Scheme for the Use of a Helicopter Landing Site, the assessment of which is summarised above and reviewed in detail within the body of this report.

CARRIED-1718/107

15.10 Wastewater Dump Point Investigations

Moved: Cr Simpson
Seconded: Deputy Mayor Hunt

THAT Council:

1. Receive the report into feasibility of establishing a wastewater dump point in the Litchfield Municipality;
2. Continue further investigation into costs and feasibility of establishing a dump point; and
3. Receives a further report on the matter at a future Council meeting.

CARRIED-1718/108

15.11 Litchfield Council General Election 2017

Moved: Deputy Mayor Hunt
Seconded: Cr Simpson

THAT Council:

1. Receive and note the Northern Territory Electoral Commission Report on Litchfield Council General Election 2017;
2. Enter into a service agreement with the Northern Territory Electoral Commission to pursue Litchfield Council General Election 2017 non-voters;
3. Receives a report at a future Council meeting on the Commissions' response in pursuing 2017 non-voters; and
4. Writes to the Northern Territory Election Commission to thank the Commission for its report and to continue to work with the Commission leading up to the next General Election to improve voter participation.

CARRIED-1718/109

16 COMMON SEAL

Nil.

17 OTHER BUSINESS

Nil.

18. PUBLIC QUESTIONS

Public Questions and responses may be paraphrased.

18.1 Mr Des Bredhauer

Mr Bredhauer made comment on Council's decision to pursue non-voters from the 2017 Litchfield Council Election. He stated that he thought Council would lose money, 3000 people didn't choose to vote, let it go.

Mr Bredhauer commented on Item 15.1 Meeting procedure.

Council Response

Mayor Bredhauer advised that the item Meeting Procedure Policy was withdrawn.

Mr Des Bredhauer

Mr Bredhauer spoke to Item 15.2 Community Engagement, Page 74 and asked if the only source of community engagement was going to be social media?

Council Response

The CEO advised that the Community Engagement Strategy included various methodologies for engaging residents with a mixture of online and in person, including focus groups and utilising community reference groups, like the community reference group established to develop the Waste Strategy.

19. CONFIDENTIAL ITEMS

Moved: Deputy Mayor Hunt

Seconded: Cr Barden

THAT 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 to consider the following Confidential Items:

19.1 Application to Write off Rates and Charges on Assessment 10111373 and 10111367

19.2 Application to Write off Rates and Charges on Assessment 10091643

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

CARRIED-1718/110

The meeting was closed to the public at 8:48pm.

19.1 Application to Write Off Rates and Charges on Assessment 10111375

Moved: Deputy Mayor Hunt

Seconded: Cr Simpson

THAT Council:

1. Approve the rates and charges totalling \$1,114 on assessment 10111375 being waived;
2. Approve the rates and charges totalling \$1,114 on assessment 10111367 being waived; and
3. Make public its resolution on this matter.

CARRIED 1718/111

Moved: Cr Barden

Seconded: Deputy Mayor Hunt

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.

CARRIED-1718/113

The meeting moved to the Open Session at 8:56pm.

20. CLOSE OF MEETING

The Chair closed the meeting at 8:57pm.

21. NEXT MEETING

Wednesday, 13 December 2017.

MINUTES TO BE CONFIRMED

Wednesday, 13 December 2017.



Mayor of Litchfield
Maree Bredhauer



Chief Executive Officer
Kaylene Conrick