



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Meeting

held in the Council Chambers, Litchfield

on Wednesday 26 June 2019 at 6:30pm

Present	Maree Bredhauer Doug Barden Christine Simpson Mathew Salter	Mayor Councillor South Ward Councillor Central Ward Councillor North Ward
Staff	Silke Maynard Nadine Nilon David Jan Wendy Smith Debbie Branson	Interim Chief Executive Officer Director Infrastructure and Operations Acting Director Community & Corporate Services Manager Planning & Development Executive Assistant
Public	Brenton Ascoli Leanne Karatians Horst Walter Peter Cole Anthony Dent Judy Cole	Humpty Doo Marlow Lagoon Berry Springs Humpty Doo Roseberry 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

Moved: Cr Simpson
Seconded: Cr Barden

THAT Council notes and approves:

Deputy Mayor Sayers-Hunt	21 June – 21 July 2019	Leave of Absence
Request for Leave of Absence	Cr Simpson	11 July – 16 July

CARRIED-1819/222

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 further disclosures of interest were declared.

5. CONFIRMATION OF MINUTES

Moved: Cr Simpson
Seconded: Cr Salter

THAT the full minutes of the Council Meeting held 15 May 2019, 11 pages, be confirmed.

CARRIED-1819/223

6. BUSINESS ARISING FROM THE MINUTES

Moved: Cr Barden
Seconded: Cr Simpson

THAT Council receives and notes the Action List.

CARRIED-1819/224

7. PRESENTATIONS

Nil.

8. PETITIONS

Nil.

9. PUBLIC FORUM

9.1 Brenton Ascoli – Notice of Motion - Freds Pass Sport & Recreation Reserve Future Planning and Governance

Mr Ascoli thought the board 'was going in the right direction' and stated if Council was to take over the reserve sponsorship through volunteers would cease.

Mayor Bredhauer thanked Mr Ascoli for his comments and advised that those concerns may be addressed when the motion is discussed.

9.2 Judy Cole - Notice of Motion - Freds Pass Sport & Recreation Reserve Future Planning and Governance

Mrs Cole read a statement she prepared which included the process in which the Freds Pass Sport & Recreation Board had consulted and included the Council with short, medium and long-term plans for the reserve.

Mayor Bredhauer thanked Mrs Cole for her statement.

9.3 Anthony Dent - Notice of Motion - Freds Pass Sport & Recreation Reserve Future Planning and Governance

Mr Dent expressed his concern in relation to impact on the running costs and stated the user groups would hesitate to chase funding. Mr Dent advised that the user groups would also lose a sense of ownership of the reserve.

Mayor Bredhauer thanked Mr Dent for his comments.

9.4 Leanne Karatians - Notice of Motion - Freds Pass Sport & Recreation Reserve Future Planning and Governance

Ms Karatians stated she had received several telephone calls from concerned members of the public and questioned if Council intended on taking over the reserve.

Mayor Bredhauer advised the question may be answered during the debate however Public Questions are also available at Item 18 within the meeting.

9.5 Peter Cole - Notice of Motion - Freds Pass Sport & Recreation Reserve Future Planning and Governance

Mr Cole questioned the Council's meaning of 'Governance'.

9.6 Peter Cole - Draft Municipal Plan & Budget 2019-20 Submission

Mr Cole believed the budget statement regarding the Library was incorrect and he was concerned Council was setting the rates for 5 years at 5%.

Mayor Bredhauer thanked Mr Cole for his comments.

The Interim CEO advised that the Library was transitioned to Council after the 2018/19 Budget was approved and the transactions are the grant money and the expenditure which equal each other out.

The Interim CEO also explained that the Local Government Act asks Council to develop a Long-Term Financial plan for their rates income for four plus one year

10. ACCEPTING OR DECLINING LATE ITEMS

Nil.

11. NOTICES OF MOTION

11. Freds Pass Sport & Recreation Reserve Future Planning and Governance

Moved: Cr Simpson

Seconded: Mayor Maree Bredhauer

THAT Council:

1. informs the Freds Pass Sport & Recreation Board in writing of Council's intention to have greater input into the long-term development and operation of sport and recreation at the Freds Pass Sport and Recreation Reserve; and
2. receives a report on how Council would go about undertaking to change the planning, operational, and governance arrangements of Freds Pass Sport and Recreation Reserve so that Council has greater input into the long-term planning and operations of the Reserve. This report is to include recommendations, proposed timelines, cost and methodology.

Any intention to change the planning, operational and governance arrangements at Freds Pass Sport and Recreation Reserve should include the following objectives:

- increase User Group satisfaction,
- realise operation efficiencies,
- manage compliance issues,
- good governance; and

11. Freds Pass Sport & Recreation Reserve Future Planning and Governance (cont/)

- provide for improved long-term sport and recreation planning at the Reserve and within the municipality.
- 3. Uses the skills and enthusiasm of a volunteer board whilst providing for Council to have greater input into future planning, including day-to-day operations and staff management.
- 4. Receive the report at a future Council meeting no later than September 2019.

A Division was called
Mayor Bredhauer and Cr Simpson voted in favour of the motion
Cr Barden and Cr Salter voted against the motion
Mayor Bredhauer used the casting vote
CARRIED-1819/224

AMENDMENT

Moved: Cr Barden

THAT Council invite the Freds Pass Sport and Recreation Reserve Board members to a briefing and to discuss the issues laying before Council.

MOTION LAPSES FOR WANT OF A SECONDER

12. MAYORS REPORT

Moved: Cr Simpson
Seconded: Cr Salter

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

CARRIED-1819/225

13. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

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

Moved: Cr Simpson
Seconded: Cr Barden

THAT Council note the Councillors' verbal report.

CARRIED-1819/226

14. FINANCE REPORT

14.1 Finance Report May 2019

Moved: Cr Simpson
Seconded: Cr Barden

THAT Council receives the Litchfield Council Finance report for the period ended 31 May 2019.

CARRIED-1819/227

15. OFFICERS REPORTS

15.1 Summary Planning and Development Report

Moved: Cr Simpson
Seconded: Cr Salter

THAT Council:

1. receive the June 2019 Summary Planning and Development Report; and
2. notes for information the responses provided to relevant agencies within Attachments A-G to this report.

CARRIED-1819/228

15.2 PA2017/0203, a Planning Scheme Amendment Application for an Altered Proposal to Amend Clause 7.5 (Private Open Space) of the NT Planning Scheme

Moved: Cr Simpson
Seconded: Cr Salter

THAT Council:

1. receive and note the report; and
2. endorse Attachment A, Council's Letter of Comment for PA2017/0203, a Planning Scheme Amendment Application for an Altered Proposal to Amend Clause 7.5 (Private Open Space) of the NT Planning Scheme.

CARRIED-1819/229

15.3 Waste Strategy 12-Month Progress Report

Moved: Cr Simpson
Seconded: Cr Salter

THAT Council:

1. receives and notes the Waste Strategy 12-Month Progress Report;
2. updates the Waste Strategy as outlined within this report, with the following changes to be made to the tables on pages 10 to 17 of the Waste Strategy:
 - a. Activity 1.2 Add \$5,000 estimated cost to establish service levels in year 4;
 - b. Activity 1.3 Remove action occurring in year 5, year 3 and 4 to remain;
 - c. Activity 2.1 Include action and add estimated cost to repeat audit in year 4;
 - d. Activity 2.2 Extend from year 2 into year 3 with funding allocated to year 3 only;
 - e. Activity 2.5 Move from years 1 and 2 to year 3 only;
 - f. Activity 2.6 Move from years 2 and 3 to year 5 only;
 - g. Activity 2.7 Move from years 2 and 3 to year 4 only, add \$10,000 estimated cost for business case;
 - h. Activity 3.1 Remove from years 1 to 4 so included in year 5 only, add \$5,000; estimated cost for establishment;
 - i. Activity 4.1 Add action to review of Berry Springs services in year 3;
 - j. Activity 4.5 Remove year 4, action in year 5 only, include review of Humpty Doo site; and
3. notes that the Waste Strategy years align with financial years and that future reviews will be undertaken by August each year.

CARRIED-1819/230

15.4 Acquittal of Special Purpose Grant

Moved: Cr Simpson
Seconded: Cr Barden

THAT Council approves the acquittal of the Special Purpose Grant for the purchase and installation of Litchfield Council's Solar System to the value of \$78,720.

CARRIED-1819/231

15.5 GOV04 Whistleblowing Policy

Moved: Cr Simpson
Seconded: Cr Salter

THAT Council adopts amended GOV04 Whistleblowing policy.

CARRIED-1819/232

15.6 Risk Management and Audit Committee Minutes May 2019

Moved: Cr Simpson
Seconded: Cr Barden

THAT Council receives and notes the minutes of the Risk Management and Audit Committee meeting of 20 May 2019.

CARRIED-1819/233

15.7 Draft Municipal Plan & Budget 2019-20 Submissions

Moved: Cr Barden
Seconded: Cr Salter

THAT item 15.7 Draft Municipal Plan & Budget 2019-20 Submissions be deferred to the next meeting being a Special Meeting of Council for the following reasons:

- This report is not an open or transparent process
- The submissions should have been put into the report
- It does not have anything in reference to the successful grant for the Mango Strategic Roads project.

CARRIED-1819/234

16. COMMON SEAL

Nil.

17. OTHER BUSINESS

Nil.

18. PUBLIC QUESTIONS

18.1 Peter Cole – Councillors Input and Freds Pass Sport & Recreation Reserve

Mr Cole questioned if other than Cr Barden and Cr Salter does any of the other Councillors have any input of their constituents in tonight's agenda items.

Mr Cole stated he believed Council has no knowledge of the dynamics of the Freds Pass Reserve and the vast amount of expertise, knowledge, tradesman, access to professionals and resources available. Mr Cole questioned when Council does not have access to these services how they can take over the reserve.

Mayor Bredhauer replied that the motion does not state that the Council intend to 'walk in and take over'. Mayor Bredhauer added that the Council agrees that within the board there is a vast amount of expertise and interest and recognises their wide network. Mayor Bredhauer continued to say that the motion intention is to solidify and build on all those networks, with an aim to make the reserve an even better place. Mayor Bredhauer stated that there was no hidden agenda in the motion.

Mayor Bredhauer disputed Mr Coles question in relation to the Councillors involvement with the Community to make the decisions at Council meetings and vote in a true representation of the people of Litchfield.

18.2 Peter Cole – Operations Budget

Mr Cole questioned why there was a zero budget for the Library operations.

The Interim CEO replied, explaining that the decision to transition library services was made by Council after the budget for 2018-19 was set.

Mr Cole commented on the process of the quarterly variations.

Mayor Bredhauer thanked Mr Cole for his statement.

18.3 Horst Walter – Draft Municipal Plan & Budget 2019-20 Submissions

Mr Walter questioned the cost to recruit the Chief Executive Officer, requested an explanation on funds for the Developer Contribution Reserve and the Election Reserve, the cost associated to the LG Management Team, the purchase of dvds and the expenditure for Skymesh Satellite. Mr Walter expressed his disappointed that his comments were not included in the submissions for the Draft Municipal Plan 2019-20 Submissions report and requested details on the Fringe Benefit Tax costs.

Mayor Bredhauer advised that the recruitment costs relate to a recruitment company which was a quotation process and the allocation was the upper limit of the recruitment process however the highest tenderer was not selected.

The Interim CEO advised that Developer Contribution Reserve are funds the Council receives from the developers once the development is finalised and Council holds those funds to undertake any work in the subdivisional area if required.

The Interim CEO added that the reserves associated with the Elections are funds set aside for the Elections that are run by the NT Electoral Commission however are a cost to Council.

The Interim CEO advised that LG Management Team was a professional development opportunity for staff.

The Interim CEO informed the meeting that the purchase of dvds related to the review of the collection at the Library and the charges for Skymesh is the NBN connection. The Interim CEO also advised FBT charges relate to the private use of Council's vehicles as part of Senior Staff contracts.

18.4 Brenton Ascoli – Local Government Act

Mr Ascoli questioned the casting vote procedure.

Mayor Bredhauer referred Mr Ascoli to the policy which is on the website.

18.5 Anthony Dent - Freds Pass Sport & Recreation Reserve

Mr Dent questioned the Mayor as to why she would use her casting vote to go against the current convention instead of voting for the status quo.

Mayor Bredhauer explained that a review of the Freds Pass Reserve was timely and that it is her desire for the reserve to be the best place it could be. Mayor Bredhauer also wants an opportunity to hear the voices of all concerned in order to see that the planning, operations, governance and everything related with the Freds Pass Sports Reserve were exceptional.

Mayor Bredhauer advised the review is about enhancing the reserve which might indicate some new ideas or initiatives, or it may confirm the current convention is working well. Mayor Bredhauer continued to say that the Freds Pass Sport and Recreation Board has a lease until 2025 and it was not the intent of the motion for that to change.

Mayor Bredhauer confirmed that the board would receive a full copy of the report and she understood that the board would be involved in the process, the report is to be developed together and repeated that there was no hidden agenda.

Mayor Bredhauer suggested that it be a collaborative process for the betterment of the reserve into the future for user groups, residents current and future and that this will be the essence of the review.

Mayor Bredhauer agreed to issue a press release reflecting her views and the Council's intentions.

19. CONFIDENTIAL ITEMS

Moved: Cr Simpson
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 Chief Executive officer Recruitment

Regulation 8(a) – information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.

CARRIED-1819/235

The meeting was closed to the public at 8:37pm.

Moved: Cr Barden

Seconded: Cr Simpson

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-1819/237

The meeting moved to Open Session at 8:54pm.

20. CLOSE OF MEETING

The Chair closed the meeting at 8:54pm.

21. NEXT MEETING

Wednesday 17 July 2019.

MINUTES TO BE CONFIRMED

Wednesday 17 July 2019



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Mayor
Maree Bredhauer



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Interim Chief Executive Officer
Silke Maynard