



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting
held in the Council Chambers, Litchfield
on Tuesday 19 July 2022 at 6:00pm

Present	Doug Barden Emma Sharp Rachael Wright Mathew Salter Andrew Mackay Kevin Harlan Mark Sidey	Mayor (Chair) Deputy Mayor / Councillor South Ward Councillor North Ward Councillor North Ward Councillor Central Ward Councillor Central Ward Councillor South Ward
Staff	Arun Dias Leon Kruger Nicky McMaster Jessica Eves	Interim Chief Executive Officer General Manager Infrastructure & Operations (Electronic) General Manager Communications & Lifestyle Executive Assistant
Presenters	Danny Milincic Maxie Smith Anthony Van Zeeventer	Manager People & Performance Manager Corporate Services Cemetery & Parks Program Leader (Electronic)
Guest	Stephen Hoyne, appointed Chief Executive Officer (commencing 25 July 2022)	

Public Gallery Two members of public.

Streamed Online via YouTube: <https://www.youtube.com/watch?v=sSy2T5m4ArM>

1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

On behalf of Council, the Mayor acknowledged the Traditional Custodians of the land on which we 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 and 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 by Council's Recording of Council Meetings Policy.

3. ELECTRONIC ATTENDANCE / APOLOGIES AND LEAVE OF ABSENCE

3.1 Electronic Attendance

Nil.

3.2 Apologies

Nil.

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

Moved: Cr Wright

Seconded: Cr Harlan

As per Section 115 of the *Local Government Act 2019*, Mayor Barden disclosed an interest in items:

- 16.02.03 – Breach of Code of Conduct; and
- 16.02.04 – Breach of Code of Conduct - Findings.

As per Section 115 of the *Local Government Act 2019*, Deputy Mayor Sharp disclosed an interest in items:

- 16.02.02 – Breach of Code of Conduct – Progress Update;
- 16.02.03 – Breach of Code of Conduct; and
- 16.02.04 – Breach of Code of Conduct - Findings.

As per Section 115 of the *Local Government Act 2019*, Cr Wright disclosed an interest in items:

- 16.02.03 – Breach of Code of Conduct; and
- 16.02.04 – Breach of Code of Conduct - Findings.

CARRIED (7-0) ORD2022 11-158

4.2 Staff

No disclosures of interest were declared.

5. CONFIRMATION OF MINUTES

5.1 Confirmation of Council Minutes

Moved: Cr Wright
Seconded: Deputy Mayor Sharp

THAT Council confirms the following minutes as a true and accurate record of those meetings:

- Ordinary Council meeting held 21 June 2022
- Special Council meeting held 5 July 2022

CARRIED (7-0) ORD2022 11-159

5.2 Council Action Sheet / Business Arising from Previous Meetings

Moved: Deputy Mayor Sharp
Seconded: Cr Wright

THAT Council receive and note Item 5.02 within the Council agenda, Council Action Sheet / Business Arising from Previous Meetings.

CARRIED (7-0) ORD2022 11-160

6. PETITIONS

Nil.

7. DEPUTATIONS AND PRESENTATIONS

Nil.

8. PUBLIC QUESTIONS

Nil.

9. ACCEPTING OR DECLINING LATE ITEMS

9.1 Late Item - Attachment to Item 16.02.02 Breach of Code of Conduct Complaint - Progress Update - Notification of Decision

Moved: Cr Mackay

Seconded: Cr Salter

1. THAT the late attachment be accepted and included for consideration with item 16.02.02 Breach of Code of Conduct Complaint - Progress Update.
2. THAT the Council approves to alter the order of business to consider item 16.02.02 Breach of Code of Conduct Complaint - Progress Update within the Open Section of the meeting as Item 14.02.04.

CARRIED (7-0) ORD2022 11-161

10. NOTICES OF MOTION

Nil.

11. MAYORS REPORT

Moved: Mayor Barden

Seconded: Cr Salter

THAT Council receive and note Item 11.01 Mayor's monthly report for the period 22 June 2022 to 18 July 2022.

CARRIED (7-0) ORD2022 11-162

12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

Nil.

13. WORK TEAM PRESENTATION

Nil.

14. OFFICERS' REPORTS

14.01 Business Excellence

14.01.01 Litchfield Council Finance Report – June 2022

Moved: Cr Harlan
Seconded: Cr Wright

THAT Council notes the Litchfield Council Finance Report – June 2022 for the period ended 30 June 2022 subject to the change of the five-year burials and cremations sales average to 328.

CARRIED (7-0) ORD2022 11-163

14.01.02 People, Performance and Governance Report - June 2022

Moved: Cr Sidey
Seconded: Deputy Mayor Sharp

THAT Council notes the People, Performance and Governance Report for June 2022.

CARRIED (7-0) ORD2022 11-164

14.01.03 FIN11 Related Party Disclosure Policy

Moved: Deputy Mayor Sharp
Seconded: Cr Mackay

THAT Council approve the revised FIN11 Related Party Disclosure Policy as at Attachment A - Relating Party Disclosure Policy.

CARRIED (7-0) ORD2022 11-165

14.01.04 FIN13 Borrowing Policy

Moved: Cr Harlan
Seconded: Cr Wright

THAT Council approve the revised FIN13 Borrowing Policy as at Attachment A - FIN13 Borrowing Policy.

CARRIED (7-0) ORD2022 11-166

14.02 Council Leadership & Community Services

14.02.01 Municipal Plan 2021-2022 Quarterly Performance Review April - June 2022

Moved: Cr Mackay
Seconded: Cr Harlan

THAT Council receive the Municipal Plan 2021-22 Quarterly Performance Report for the fourth quarter ending 30 June 2022 and approve to allow the CEO to make minor administrative changes to the Municipal Plan 2021-22 Quarterly Performance Report.

CARRIED (7-0) ORD2022 11-167

14.02.02 Local Government Association of the Northern Territory Executive Board Nominations

Moved: Cr Salter
Seconded: Cr Wright

THAT Council nominates the following elected member(s) to the Local Government Association of the Northern Territory Executive Board Mayor Douglas Barden for the position of Board Member Municipal.

CARRIED (7-0) ORD2022 11-168

14.02.03 Local Government Association of the Northern Territory Prescribed Corporation Panel Pool Nominations

Moved: Mayor Barden
Seconded: Cr Salter

THAT Council nominates Cr Mathew Salter to the Local Government Association of the Northern Territory Prescribed Corporation Panel Pool.

CARRIED (7-0) ORD2022 11-169

Deputy Mayor Sharp left the meeting at 6:41pm.

14.02.04 16.02.02 - Breach of Code of Conduct Complaint - Progress Update

Moved: Cr Mackay
Seconded: Cr Harlan

THAT Council receive and note the Breach of Code of Conduct Complaint – Progress Report and late item email LGANT Notification of Decision.

CARRIED (6-0) ORD2022 11-170

Deputy Mayor Sharp returned to the meeting at 6:42pm.

14.03 Infrastructure and Operations

14.03.01 Summary Planning and Development Report June 2022

Moved: Cr Salter

Seconded: Cr Harlan

THAT Council:

1. receive the Summary Planning and Development Report June 2022; and
2. note for information the responses provided to relevant agencies within Attachments A-J to this report.

CARRIED (7-0) ORD2022 11-171

14.03.02 Proposed Place Names – PA2015.0768 Subdivision Cyrus Road

Moved: Cr Mackay

Seconded: Deputy Mayor Sharp

THAT Council:

1. Support the proposed place names as per the below list:

	Preferred	Alternate
Road One	Paradise Way	<i>Wilderness Way</i>
Road Two	Stairway Drive	<i>Ascend Drive</i>
Road Three	Nirvana Place	<i>Serenity Place</i>

2. provide a letter of support to the applicant and NT Place Names so that the developer may continue the process of approval for road names;
3. proceed with the road opening process across Lot 2790, Hundred of Cavenagh from the existing William Road to Lot 1603, Hundred of Ayers; accepting the name chosen for 'Road Two';
4. authorise all appropriate documents to be signed and common seal affixed by the Mayor and Chief Executive Officer for the opening of the road including receiving of land through the Land Titles Office.

CARRIED (7-0) ORD2022 11-172

14.03.03 Road Opening Closing Meade Road, Darwin River

Moved: Cr Harlan
Seconded: Deputy Mayor Sharp

THAT Council:

1. proceed with the road closing and opening process for Meade Road, across affected land parcels, Lot 500 Section 773 Hundred of Cavenagh, Lot 585 Section 765 Hundred of Cavenagh (Meade Road, west of Letchford Road) for the purpose of providing the land owner the opportunity to continue conservation efforts;
2. authorise all appropriate documents to be signed and common seal affixed by the Mayor and Chief Executive Officer for the closing and opening of the road, as required; and
3. note that this is an administrative process only and there is no commitment by Council to construct the road.

CARRIED (7-0) ORD2022 11-173

14.03.04 Thorak Regional Cemetery – Cremator Remedial Repairs

Moved: Cr Mackay
Seconded: Cr Salter

THAT Council:

1. approve the allocation of funds \$32,000 from the Thorak Regional Cemetery Reserve for the purpose of undertaking required remedial repairs to the Thorak Regional Cemetery cremator; and;
2. note that during the remedial repairs period, Council may cease to offer cremation services and seek alternative options or refer patrons to alternative options.

CARRIED (7-0) ORD2022 11-174

15. OTHER BUSINESS

Moved: Cr Sidey
Seconded: Cr Salter

THAT Council notes the below Other Business Items.

15.01 Acknowledgment and Farewell to General Manager Infrastructure & Operations

Mayor Barden acknowledged the resignation of Litchfield Council's General Manager Infrastructure & Operations, Leon Kruger, the Mayor acknowledged Leon's contributions to Litchfield Council and wished him well in the future.

15.02 Shared Paths Within the Litchfield Municipality

Cr Salter raised comments on behalf of a resident raised at Freds Pass Markets that highlighted limited footpaths available within the Municipality. The resident suggested Council consider installing 1km of shared paths leading to local schools.

Response:

Interim CEO, Arun Dias responded that Council has the opportunity to consider this item during the planning of the next Municipal Plan during budget reviews.

General Manager Infrastructure & Operations advised Council has adopted the Shared Path Program and Council could consider amending that Program at any time.

15.03 Request for Public Updates

Cr Harlan raised that he was still waiting on an update that could be provided to the public on the below matters, requesting those updates be provided by the end of the month:

- Update Mira Square Project; and
- Asbestos at Humpty Doo Transfer Station.

Response:

Interim CEO advised a briefing note was provided on the asbestos remediation project and the update on Mira Square Project was provided on Council website and was included within Item 14.01.01 Finance Report – June 2022.

15.04 Media and Communications Training

Cr Salter thanked staff and acknowledged the Media and Communications Training provided on 9 July 2022.

15.05 Berry Springs Waste Transfer Station Closing Hours

Cr Sidey raised concerns and disappointment in the lack of consultation to the public and Elected Members with the sudden reduction of hours at Berry Springs Waste Transfer Station.

15.06 Condolences to the late Trevor Melville

Cr Sidey provided condolences to family and friends for the passing of Mr Trevor Melville, a long-term Darwin River resident who had volunteered much of his time to Polo Cross in the Northern Territory and mentoring Juniors in the community.

CARRIED (7-0) ORD2022 11-175

16. CONFIDENTIAL ITEMS

Moved: Cr Mackay
Seconded: Cr Salter

THAT Pursuant to Section 99 (2) of the *Local Government Act* and Regulation 51(1) of the *Local Government (General) Regulations 2019* the meeting be closed to the public to consider the following Confidential Items:

16.02.01 Moving of Confidential Items

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.

(c)(iv) information that would, if publicly disclosed, be likely to subject to subregulation (3) – prejudice the interests of the council or some other person.

16.02.03 Breach of Code of Conduct Complaint

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

16.02.04 Breach of Code of Conduct Complaint - Findings

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

CARRIED (7-0) ORD2022 11-176

The meeting was closed to the public at 7:19pm.

Moved: Cr Salter
Seconded: Cr Sidey

THAT pursuant to Section 93(2) of the *Local Government Act 2019* and Regulation 51 of the *Local Government (General) Regulations 2021* the meeting be re-opened to the public.

CARRIED (4-0) ORD2022 11-177

The Chair moved to the Open Session of the meeting at 8:03pm

17. CLOSE OF MEETING

The Chair closed the meeting at 8:03pm

18. NEXT MEETING

Tuesday 16 August 2022

MINUTES TO BE CONFIRMED

Tuesday 16 August 2022

Douglas Burden

.....
Mayor

Doug Barden