



## COUNCIL MINUTES

### LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting  
held in the Council Chambers, Litchfield  
Tuesday 16 May 2023 at 6:00pm

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<b>Present</b>	Doug Barden Andrew Mackay Emma Sharp Mathew Salter Rachael Wright Kevin Harlan Mark Sidey	Mayor (Chair) Deputy Mayor / Councillor Central Ward ( <i>electronically</i> ) Councillor South Ward Councillor North Ward Councillor North Ward ( <i>electronically</i> ) Councillor Central Ward Councillor South Ward ( <i>electronically</i> )
<b>Staff</b>	Stephen Hoyne Maxie Smith Julie Hillier Debbie Branson	Chief Executive Officer Director Corporate and Community Manager Planning and Development (in part) Executive Assistant
<b>Public</b>	As per Attendance Register	

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#### 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 at 6:06pm*

The Mayor 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**

Moved: Cr Sharp

Seconded: Cr Harlan

THAT Council provides permission for Deputy Mayor Mackay, Cr Wright and Cr Sidey to attend the Council meeting electronically.

**CARRIED (7-0) ORD2023 11-074**

#### **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 and its policies regarding the same.

#### **4.1 Elected Members**

No disclosures of interest declared.

#### **4.2 Staff**

Stephen Hoyne declared an interest in Confidential Item 15.02 Chief Executive Officer Performance Appraisal and Remuneration Review Committee Meeting Minutes – 8 May 2023. Stephen left the room during the deliberations.

### **5 PUBLIC QUESTIONS**

#### **5.01 Brad George – Parking on Road Reserves**

**Question:** A (company) continue to park trailers overnight and on weekends and assemble trucks and trailers and load and unload trailers on the Strangways Road Road Reserve that is under the control of Litchfield Council. The address where this is happening is the road reserve parallel to 220 Strangways Road Humpty Doo.

Given that council has already advised that it does not have any bylaws to stop businesses from parking and operating wherever they want in Humpty Doo, could Council at least install 20 large rocks, evenly spaced, 1m in from the road edge on the road reserve at 220 Strangways to stop trailers from being parked at this location.

The risk to (company) workers and to Humpty Doo car drivers, bike riders and pedestrians on this section of Strangways from industrial activities taking place without lighting or traffic control and the risk to the waterway due to there being no bunding to stop hydraulic fluid should be unacceptable on Council controlled land and to ratepayers who have to foot the bill when one of the (company's) assets and a resident have an incident.

**Answer:** Thank you for bringing to our attention your concerns regarding the activities of the (company) on the road reserve parallel to 220 Strangways Road Humpty Doo.

After conducting inspections, we have not detected any commercial usage of the road reserve by the company, as mentioned in your letter. However, we understand that the overnight parking of trailers and assembly of trucks and trailers can pose a risk to road users, pedestrians, and the environment.

We appreciate your suggestion of installing large rocks as barriers to prevent trailers from being parked at this location. However, we regret to inform you that this is not a viable solution as it presents an unacceptable risk to road users.

As the responsible authority for the control of the road reserve, we will continue to monitor the situation and take any necessary actions to ensure the safety of all users and the environment.

Thank you for bringing this matter to our attention. If you have any further concerns, please do not hesitate to contact us.

Your question will be submitted to the May 2023 Ordinary Council Meeting with the response included.

*(The company name has been withheld to protect their privacy)*

## **6 CONFIRMATION OF MINUTES**

### **6.1 Confirmation of Minutes**

Moved: Cr Harlan

Seconded: Cr Wright

THAT Council confirm the:

- Ordinary Council Meeting held Monday 24 April 2023, 12 pages;
- Ordinary Confidential Council Meeting held Monday 24 April 2023, 2 pages;
- Special Council Meeting held Tuesday 2 May 2023, 4 pages; and
- Special Confidential Council Meeting held Tuesday 2 May 2023, 2 pages.

**CARRIED (7-0) ORD2023 11-0075**



**6.2 Council Action Sheet / Business Arising from Previous Meetings**

Moved: Cr Sharp  
Seconded: Cr Wright

THAT Council receive and note Item 6.2 within the Council agenda, Council Action Sheet / Business Arising from Previous Meetings.

*Deputy Mayor Mackay left the meeting at 6:13pm.*

**CARRIED (6-0) ORD2023 11-076**

**7. PETITIONS**

Nil.

**8. DEPUTATIONS AND PRESENTATIONS**

Nil.

**9. ACCEPTING OR DECLINING LATE ITEMS**

Nil.

**10. NOTICES OF MOTION**

Nil.

**11. MAYORS REPORT**

Moved: Mayor Barden  
Seconded: Cr Sharp

THAT Council receive and note Item 11.01 Mayor's monthly report for the period 20 April 2023 to 15 May 2023.

**CARRIED (6-0) ORD2023 11-077**

**12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES**

Referred to the Confidential Section.

### **13. OFFICERS' REPORTS**

#### **13.01 Corporate and Community**

##### **13.01.01 Litchfield Council Finance Report – April 2023**

Moved: Cr Harlan  
Seconded: Cr Wright

THAT Council note the Litchfield Council Finance Report for the period ended 30 April 2023.

**CARRIED (6-0) ORD2023 11-078**

##### **13.01.02 People Performance and Governance Monthly Report – April 2023**

Moved: Cr Harlan  
Seconded: Cr Wright

THAT Council note the People, Performance and Governance Report for April 2023.

**CARRIED (6-0) ORD2023 11-079**

##### **13.01.03 FIN20 New Initiatives Policy**

Moved: Cr Sharp  
Seconded: Cr Sidey

THAT Council resolve to rescind FIN20 New Initiatives Policy, as at Attachment A.

**CARRIED (6-0) ORD2023 11-080**

##### **13.01.04 Policy Reviews**

Moved: Cr Sharp  
Seconded: Cr Wright

THAT Council;

1. adopt draft policy GOV05 Caretaker Policy, as at Attachment A;
2. adopt draft policy EM07 Council Member Gifts, Benefits and Hospitality, as at Attachment B; and
3. authorise the Chief Executive Officer to make minor amendments.

**CARRIED (6-0) ORD2023 11-081**



**13.01.05 Draft Animal Management Strategy and Action Plan 2023 - 2026**

Moved: Cr Salter  
Seconded: Cr Harlan

THAT Council:

1. endorse the Draft Animal Management Strategy and Action Plan 2023 – 2026, as at Attachment A, to be placed on public exhibition inviting comments for the period of 1 June 2023 to 21 June 2023; and
2. authorise the Chief Executive Officer to make minor editorial changes to the documents as necessary.

**CARRIED (6-0) ORD2023 11-082**

**13.02 Executive and Community Development**

**13.02.01 Community Services and Development Monthly Report – April 2023**

Moved: Cr Sidey  
Seconded: Cr Sharp

THAT Council note the Community Services and Development Monthly Report for April 2023.

**CARRIED (6-0) ORD2023 11-083**

**13.02.02 Municipal Plan 2022 – 2023 Quarterly Performance Review January – March 2023**

Moved: Cr Salter  
Seconded: Cr Harlan

THAT Council receive the Municipal Plan 2022-23 Quarterly Performance Report for the third quarter ending 31 March 2023.

**CARRIED (6-0) ORD2023 11-084**

**13.02.03 National General Assembly of Local Government 2023**

Moved: Cr Sidey  
Seconded: Cr Sharp

THAT Council:

1. note the upcoming 2022 National General Assembly of Local Government in Canberra from 13-16 June 2023;
2. approve the Mayor and Chief Executive Officer attending the National General Assembly of Local Government in Canberra; and
3. further support other elected members attending and utilising their available professional development allowance.

**CARRIED (5-1) ORD2023 11-085**

**A Division was called**

**Those voting in the affirmative Mayor Barden, Cr Harlan, Cr Sidey, Cr Sharp and Cr Wright**

**Those voting in the negative Cr Salter**

**13.03 Infrastructure and Operations**

**13.03.01 Summary Planning and Development Report April 2023**

Moved: Cr Harlan

Seconded: Cr Sharp

THAT Council:

1. receive the Summary Planning and Development Report April 2023;  
and
2. note for information the responses provided to relevant agencies within Attachments A to E of this report.

**CARRIED (6-0) ORD2023 11-086**

**14. OTHER BUSINESS**

**14.01 Acknowledgement – Former Litchfield Council Elected Member Mike Bowman**

Mayor Barden acknowledged the passing of Mr Mike Bowman and extended his condolences to Mike's family and friends.

Mike was declared an Elected Member for the East Ward on 16<sup>th</sup> March 2002 from a By-Election result.

Mike was an Elected Member until January 2015 and one of the longest serving Elected Members with Litchfield Council.

**14.02 Anzac Commemorations Congratulations**

Cr Sidey extended his appreciation to the staff who coordinated the Anzac Day event at the Humpty Doo Village Green.

Deputy Mayor Mackay joined the meeting at 6:58pm.

**15. CONFIDENTIAL ITEMS**

Moved: Cr Sharp

Seconded: Cr Harlan

THAT pursuant to Section 293(1) of the Local Government Act 2019 and Regulation 51 of the Local Government (General) Regulations the meeting be closed to the public to consider the following Confidential Items:

**15.01 Confidential Council Minutes**

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*:

8(d) information subject to an obligation of confidentiality at law, or in equity.



**15.02 Chief Executive Officers Performance Appraisal and Remuneration Review  
Committee Meeting Minutes – 8 May 2023**

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*:

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 (7-0) ORD2023 11-087**

The meeting moved to Confidential Session at 7:01pm.

Moved: Cr Sharp  
Seconded: Cr Harlan

THAT pursuant to Section 293(2) of the Local Government Act 2019 and Regulation 51 of the Local Government (General) Regulations the meeting be re-opened to the public.

**CARRIED (7-0) ORD2023 11-089**

The meeting moved to Open Session at 8:11pm.

**17. CLOSE OF MEETING**

The Chair closed the meeting at 8:14pm.

**18. NEXT MEETING**

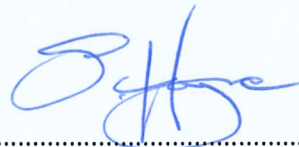
Tuesday 20 June 2023.

**MINUTES TO BE CONFIRMED**

Tuesday 20 June 2023.



Mayor  
Doug Barden



Chief Executive Officer  
Stephen Hoyne