



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting

held in the Council Chambers, Litchfield

Tuesday 17 October 2023 at 6:00pm

Present	Doug Barden	Mayor (Chair)
	Rachael Wright	Deputy Mayor / Councillor North Ward
	Andrew Mackay	Councillor Central Ward
	Mathew Salter	Councillor North Ward
	Kevin Harlan	Councillor Central Ward
	Mark Sidey	Councillor South Ward
	Emma Sharp	Councillor South Ward
Staff	Stephen Hoyne	Chief Executive Officer
	Rodney Jessup	Director Infrastructure and Operations
	Gayathri Sivaraj	Manager Corporate Services (<i>electronically - in part</i>)
	Ankit Pascal	Human Resources and Records Management (<i>electronically – in part</i>)
	Ashleigh Young	Community Participation Officer (<i>electronically - in part</i>)
	Debbie Branson	Executive Assistant
Public	As per Attendance Register	

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 6:01pm

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 Salter
Seconded: Deputy Mayor Wright

THAT Council approve Cr Sidey to attend the meeting electronically.

CARRIED (7/0) ORD2023 11-186

3.2 Apologies

Nil.

3.3 Leave of Absence Previously Granted

Nil.

3.4 Leave of Absence Request

Moved: Cr Mackay
Seconded: Cr Salter

THAT Council:

1. approve Mayor Barden's application for Leave of Absence for the period Wednesday 18 October 2023 to Thursday 16 November 2023;
2. acknowledge Deputy Mayor Rachael Wright will be Acting Mayor during this period; and
3. acknowledged Cr Harlan submitted an application for Leave of Absence and that the dates were to be confirmed.

CARRIED (7/0) ORD2023 11-187

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

Mayor Barden and Cr Salter declared an interest in Item 15.05 Breach of Code of Conduct and agreed to leave the meeting during the discussion.

4.2 Staff

Nil.

The Chief Executive Officer declared an interest in Item 15.06 Workplace Matter – Arbitration and agreed to leave the meeting during the discussion.

5. PUBLIC QUESTIONS

Nil.

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Cr Harlan
Seconded: Deputy Mayor Wright

THAT Council confirm the:

- Ordinary Council Meeting held Tuesday 19 September 2023, 12 pages; and
- Ordinary Confidential Council Meeting held Tuesday 19 September 2023, 6 pages.

CARRIED (7/0) ORD2023 11-188

6.2 Council Action Sheet / Business Arising from Previous Meetings

Moved: Cr Sidey
Seconded: Cr Harlan

THAT Council receive and note Item 6.02 within the Council agenda, Council Action Sheet / Business Arising from Previous Meetings.

CARRIED (7/0) ORD2023 11-189

7. PETITIONS

Nil.

8. DEPUTATIONS AND PRESENTATIONS

Nil.

9. ACCEPTING OR DECLINING LATE ITEMS

Nil – *Item 15.02 Tender Evaluation Report – RFT23-365 Maintenance of Pavement, Repair and New Works was withdrawn.*

10. NOTICES OF MOTION

10.01 Humpty Doo Village Green Operating Hours

A notice of motion was received and was considered in the Confidential Section of the meeting.

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 September 2023 to 17 October 2023.

CARRIED (7/0) ORD2023 11-190

12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

Nil.

13. OFFICERS' REPORTS

13.01 Corporate and Community

13.01.01 Litchfield Council Finance Report – September 2023

Moved: Cr Harlan
Seconded: Cr Sharp

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

CARRIED (7/0) ORD2023 11-191

13.01.02 People Performance and Governance Monthly Report – September 2023

Moved: Cr Sharp
Seconded: Deputy Mayor Wright

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

CARRIED (7/0) ORD2023 11-192

13.01 Executive and Community Development

13.02.01 Community Services and Development Monthly Report – September 2023

Moved: Cr Harlan
Seconded: Cr Sharp

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

CARRIED (7/0) ORD2023 11-193

13.02.02 Municipal Plan 2023-2024 Quarterly Performance Review July – September 2023

Moved: Cr Mackay

Seconded: Cr Harlan

THAT Council receive the Municipal Plan 2023-2-24 Quarterly Performance Review July – September 2023 report.

CARRIED (7/0) ORD2023 11-194

13.03 Infrastructure and Operations

13.03.01 Summary Planning and Development Report September 2023

Moved: Cr Sharp

Seconded: Deputy Mayor Wright

THAT Council:

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

CARRIED (7/0) ORD2023 11-195

14. OTHER BUSINESS

14.01 Freds Pass \$10m Grant – Public Feedback

14.02 Middle Arm Sustainable Development Precinct Submission (MASDP)

15. CONFIDENTIAL ITEMS

Moved: Cr Mackay

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*:

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

15.02 Tender Evaluation Report – RFT23-365 Maintenance of Pavement, Repair and New Works

This item was withdrawn.

15.03 Risk Management and Audit Committee Chair and Independent Member

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*.

(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.

15.04 Potential Breach Local Government Act

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*.

(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.

15.05 Breach of Code of Conduct Complaint

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*.

(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.

15.06 Workplace Matter - Arbitration

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*.

(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.

15.07 Humpty Doo Village Operating Hours

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*.

(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.

CARRIED (7/0) ORD2023 11-196

15.02 Risk Management Audit Committee Chair and Independent Member

THAT Council:

1. appoints Gregory Arnott as the independent chairperson of the Risk Management and Audit Committee for a term of three years, ending 31 December 2026;
2. approves the acknowledgement at Attachment A to the incumbent Chairperson; and
3. makes public the resolution from this report is the open minutes of the Council meeting.

CARRIED (7/0) ORD2023 11-197

15.07 Humpty Doo Village Green Operating Hours

THAT Council:

1. request the Chief Executive Officer provides a report to the 2023 November Ordinary Council Meeting, on the trial of reduced operating hours at the Humpty Doo Village Green, and that the report includes:
 - a. details of the trial
 - b. how the decision was made to reduce the operating hours
 - c. how the alternative 11:00 opening time was chosen
 - d. how the success or failure of the trial has been measured
 - e. details of public or other feedback received
 - f. details of the success or failure of the trial
 - g. recommendation;
2. be advised of future changes to the opening hours of reserves in a briefing note with reasoning provided prior to any implementation, as far as operationally possible;
3. be provided with a brief for the feasibility of Council employing a caretaker at Humpty Doo Village Green;
4. be provided with a brief for the feasibility of Council engaging a security guard at Humpty Doo Village Green; and
5. make the resolution public once resolved.

CARRIED (7/0) ORD2023 11-199

The meeting moved to Confidential Session at 6:58pm.

Moved: Cr Mackay
Seconded: Cr Sharp

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 11-203

The meeting moved to Open Session at 8:21pm.

17. CLOSE OF MEETING

The Chair closed the meeting at 8:21pm.

18. NEXT MEETING

Tuesday 19 November 2023.

MINUTES TO BE CONFIRMED

Tuesday 19 November 2023.


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Mayor
Doug Barden


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Chief Executive Officer
Stephen Hoyne