



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting
held in the Council Chambers, Litchfield
Tuesday 20 June 2023 at 6:00pm

Present	Doug Barden	Mayor (Chair)
	Andrew Mackay	Deputy Mayor / Councillor Central Ward
	Mathew Salter	Councillor North Ward
	Rachael Wright	Councillor North Ward
	Kevin Harlan	Councillor Central Ward
	Mark Sidey	Councillor South Ward
Staff	Stephen Hoyne	Chief Executive Officer
	Maxie Smith	Director Corporate and Community
	Julie Hillier	Manager Planning and Development (in part)
	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 6:00pm

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 with Council's Recording of Council Meetings Policy.

3. ELECTRONIC ATTENDANCE / APOLOGIES AND LEAVE OF ABSENCE

3.1 Electronic Attendance

Nil.

3.2 Apologies

Moved: Cr Wright

Seconded: Cr Harlan

THAT Council notes and approves apologies from Cr Sharp.

CARRIED (6/0) ORD2023 11-090

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

No disclosures of interest declared.

5. PUBLIC QUESTIONS

5.01 Barbara Crane – Recycling Processes and Statistics

Ms Crane questioned Council in relation to the amount of recyclable material going to landfill.

The Chief Executive Officer advised that Litchfield maximise the recycling by selling cardboard, plastic bottles, electronic equipment, dispose of old batteries, steel and metal are stockpiled. He also advised that there is no market for car tyres and unfortunately there is no recycling for glass in Darwin. He added that it was in Council's interest to minimise what is taken to the weighbridge at Shoal Bay to reduce costs.

5.02 Barbara Crane – Recycling Processes and Statistics (Continued)

Ms Crane also requested the statistics on the recyclables that are collected from each of the transfer stations.

Mayor Barden advised that a sign will be erected at the transfer stations with the statistics.

5.03 Silke Maynard – Draft Municipal Plan

Mrs Maynard questioned if Council have considered all submissions received in relation to the Draft Municipal Plan.

Mayor Barden confirmed that all submissions received had been considered and thanked Mrs Maynard.

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Mayor Barden

Seconded: Cr Harlan

THAT Council confirm the:

- Ordinary Council Meeting held Tuesday 16 May 2023, 8 pages;
- Ordinary Confidential Council Meeting held Tuesday 16 May 2023, 2 pages;
- Special Council Meeting held Thursday 2 May 2023, 3 pages; and
- Special Confidential Council Meeting held Thursday 2 May 2023, 2 pages.

A Division was called

Those voting in the affirmation Mayor Barden, Cr Sidey and Cr Harlan

Those voting in the negative Deputy Mayor Mackay, Cr Wright and Cr Salter

TIED (3/3)

Mayor Barden exercised the Casting Vote

CARRIED (4-3) ORD2023 11-091

6.2 Council Action Sheet / Business Arising from Previous Meetings

Moved: Cr Sidey

Seconded: Deputy Mayor Mackay

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

CARRIED (6-0) ORD2023 11-092

7. PETITIONS

Nil.

8. DEPUTATIONS AND PRESENTATIONS

Nil.

9. ACCEPTING OR DECLINING LATE ITEMS

Nil.

10. NOTICES OF MOTION

10.1 Cost to maintain the eight owned Council reserves

Moved: Cr Harlan

Seconded: Cr Salter

THAT Council:

1. engages a suitably qualified and experienced auditor or consultant to review the current costs to maintain Litchfield Council's eight reserves in a safe condition to ensure that the Council is complying with their duties under the NT Work Health and Safety (National Uniform Legislation) Act 2011 and that the Elected Members are complying with their duties under the Local Government Act 2019;
2. requests the Chief Executive Officer to provide the auditors or consultant written report detailing the cost to maintain Litchfield Council's eight reserves in a safe condition to the Chief Executive Officer to Elected Members to allow each of them to carry out their due diligence under the Northern Territory Work Health and Safety (National Uniform Legislation) Act 2011 and that the Elected Members are complying with their duties under the Local Government Act 2019; and
3. receive the report prior to the first 2023-2024 Budget Review Meeting.

CARRIED (4-2) ORD2023 11-093

11. MAYORS REPORT

Moved: Mayor Barden

Seconded: Cr Wright

THAT Council receive and note Item 11.01 Mayor's monthly report for the period 17 May 2023 to 20 June 2023.

CARRIED (6-0) ORD2023 11-094

12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

Moved: Deputy Mayor Mackay

Seconded: Cr Wright

THAT Council note the verbal updates provided by the representative of the:

1. Howard Park Reserve Committee Meeting;
2. Knuckey Lagoon Recreation Reserve Management Committee Meeting; and
3. Risk Management and Audit Committee Meeting.

CARRIED (6-0) ORD2023 11-095

13. OFFICERS' REPORTS

13.01 Corporate and Community

13.01.01 Litchfield Council Finance Report – May 2023

Moved: Cr Harlan
Seconded: Cr Sidey

THAT Council note the Litchfield Council Finance Report for the period ended 31 May 2023.

CARRIED (6-0) ORD2023 11-096

13.01.02 People Performance and Governance Monthly Report – May 2023

Moved: Cr Harlan
Seconded: Cr Wright

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

CARRIED (6-0) ORD2023 11-097

13.01.03 Draft EM05 Council Member Allowance and Support

Moved: Cr Wright
Seconded: Cr Sidey

THAT Council:

1. adopt draft EM05 Council Member Allowance and Support Policy, as at Attachment A; and
2. authorise the Chief Executive Officer to make minor amendments.

CARRIED (6-0) ORD2023 11-098

13.01.04 Risk Management Audit Committee Open Minutes – 31 May 2023

Moved: Cr Sidey
Seconded: Cr Harlan

THAT Council receive and note the Risk Management Audit Committee unconfirmed open minutes from 31 May 2023 meeting, as at Attachment A.

CARRIED (6-0) ORD2023 11-099

13.02 Executive and Community Development

13.02.01 Declaration of Rates and Charges 2023/2024

Moved: Cr Sidey
Seconded: Cr Harlan

THAT Council:

1. receive and note the Chief Executive Officer's certification of the assessment records in line with Section 29 *Local Government (General) Regulations 2021*, as at Attachment A to this report;
2. pursuant to Section 237 of the *Local Government Act 2019*, declare rates and charges for the financial year ending 30 June 2024 as noted in the Declaration of Rates and Charges 2023-2024 as at Attachment B to this report; and
3. pursuant to Section 241 of the *Local Government Act 2019*, publish the Declaration of Rates and Charges for 2023-2024 on Council's website and in the newspaper circulating generally in the area.

CARRIED (4-2) ORD2023 11-100

13.02.02 Proposed Fees and Charges 2023/2024

Moved: Deputy Mayor Mackay
Seconded: Cr Wright

THAT Council:

1. adopt the Litchfield Council Fees and Charges for 2023/2024 as at Attachment A to this report;
2. adopt the Thorak Regional Cemetery Fees and Charges for 2023/2024 as at Attachment B to this report; and
3. authorise the Chief Executive Officer to make minor editorial amendments.

CARRIED (4-2) ORD2023 11-101

13.02.03 Draft Municipal Plan 2023/24 and Draft Financial Management Strategy and Long-Term Financial Plan and 2023/24 to 2032/33

Moved: Cr Sidey

Seconded: Cr Harlan

THAT Council:

1. note submissions received for the Draft Municipal Plan 2023/2024 and Draft Financial Management Strategy and Long-Term Financial Plan 2023/2024 to 2032/2033 and thank all residents for their input;
2. approve amendments to the Draft Municipal Plan 2023/2024 and Draft Financial Management Strategy and Long-Term Financial Plan 2023/2024 to 2032/2033 as listed in Attachment A to this report;
3. authorise the Chief Executive Officer to make necessary editorial changes to the Municipal Plan 2023/2024 and Financial Management Strategy and Long-Term Financial Plan 2023/2024 to 2032/2033 if required;
4. set the Elected Member allowances for the year 2023-2024 as determined by the Remuneration Tribunal under section 7B of the Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006 as per Section 106 of the Local Government Act 2019; and
5. adopt the 2023/2024 budget as per Section 203 of the Local Government Act 2019;
6. adopt the Municipal Plan 2023/2024, as at Attachment C, as per Section 35(1) of the Local Government Act 2019 and Financial Management Strategy and Long-Term Financial Plan 2023/2024 to 2032/2033, as at Attachment D; and
7. set aside any surplus / deficit from the 2022-2023 financial year into the Waste Management Reserve, Thorak Regional Cemetery Reserve, and Asset Reserve, respectively.

AMENDMENT

Moved: Deputy Mayor Mackay

Seconded: Cr Wright

THAT Council:

1. note submissions received for the Draft Municipal Plan 2023/2024 and Draft Financial Management Strategy and Long-Term Financial Plan 2023/2024 to 2032/2033 and thank all residents for their input;
2. approve amendments to the Draft Municipal Plan 2023/2024 and Draft Financial Management Strategy and Long-Term Financial Plan 2023/2024 to 2032/2033 as listed in Attachment A to this report;
3. authorise the Chief Executive Officer to make necessary editorial changes to the Municipal Plan 2023/2024 and Financial Management Strategy and Long-Term Financial Plan 2023/2024 to 2032/2033 if required;
4. set the Elected Member allowances for the year 2023-2024 as determined by the Remuneration Tribunal under section 7B of the Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006 as per Section 106 of the Local Government Act 2019; and
5. adopt the 2023/2024 budget as per Section 203 of the Local Government Act 2019;

13.02.03 Draft Municipal Plan 2023/24 and Draft Financial Management Strategy and Long-Term Financial Plan and 2023/24 to 2032/33 (Continued)

6. adopt the Municipal Plan 2023/2024, as at Attachment C, as per Section 35(1) of the Local Government Act 2019 and Financial Management Strategy and Long-Term Financial Plan 2023/2024 to 2032/2033, as at Attachment D subject to the following changes:
 - a) increase Freds Pass Recreation Reserve funding to \$965,323.00
 - b) increase Livingston Recreation Reserve funding to \$79,325.00
 - c) reduce the New Initiatives Budget in the proposed Municipal Plan 2023/2024 by \$127,052.00
 - d) allocate the unspent money in the 2022/2023 New Initiatives Budget to the 2023/2024 New Initiatives Budget up to a maximum of \$127,052.00 in Budget Review One 2023/2024; and
7. set aside any surplus / deficit from the 2022-2023 financial year into the Waste Management Reserve, Thorak Regional Cemetery Reserve, and Asset Reserve, respectively.

A Division was called
Those Voting in the affirmation Deputy Mayor Mackay, Cr Wright and Cr Salter
Those Voting in the negative Mayor Barden, Cr Sidey and Cr Harlan
TIED (3/3)
Mayor Barden exercised the Casting Vote
AMENDMENT LOST (3-4)

Moved: Cr Sidey
Seconded: Cr Harlan

THAT Council:

1. note submissions received for the Draft Municipal Plan 2023/2024 and Draft Financial Management Strategy and Long-Term Financial Plan 2023/2024 to 2032/2033 and thank all residents for their input;
2. approve amendments to the Draft Municipal Plan 2023/2024 and Draft Financial Management Strategy and Long-Term Financial Plan 2023/2024 to 2032/2033 as listed in Attachment A to this report;
3. authorise the Chief Executive Officer to make necessary editorial changes to the Municipal Plan 2023/2024 and Financial Management Strategy and Long-Term Financial Plan 2023/2024 to 2032/2033 if required;
4. set the Elected Member allowances for the year 2023-2024 as determined by the Remuneration Tribunal under section 7B of the Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006 as per Section 106 of the Local Government Act 2019; and
5. adopt the 2023/2024 budget as per Section 203 of the Local Government Act 2019;
6. adopt the Municipal Plan 2023/2024, as at Attachment C, as per Section 35(1) of the Local Government Act 2019 and Financial Management Strategy and Long-Term Financial Plan 2023/2024 to 2032/2033, as at Attachment D; and

13.02.03

Draft Municipal Plan 2023/24 and Draft Financial Management Strategy and Long-Term Financial Plan and 2023/24 to 2032/33 (Continued)

7. set aside any surplus / deficit from the 2022-2023 financial year into the Waste Management Reserve, Thorak Regional Cemetery Reserve, and Asset Reserve, respectively.

A Division was called
Those voting in the affirmation Mayor Barden, Cr Sidey and Cr Harlan
Those voting in the negative Deputy Mayor Mackay, Cr Wright and Cr Salter
TIED (3/3)
Mayor Barden exercised the Casting Vote
CARRIED (4-3) ORD2023 11-102

13.02.04 Community Services and Development Monthly Report – May 2023

Moved: Cr Wright
Seconded: Cr Sidey

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

CARRIED (5-1) ORD2023 11-103

13.02.05 Knuckey Lagoon and Howard Park Recreation Reserve Management Committee Minutes

Moved: Cr Wright
Seconded: Cr Salter

THAT Council receive and note:

1. the unconfirmed Knuckey Lagoon Recreation Reserve Management Committee Minutes of 1 June 2023, at Attachment A; and
2. the unconfirmed Howard Park Recreation Reserve Management Committee Minutes of 5 June 2023, at Attachment B.

CARRIED (6-0) ORD2023 11-104

13.03 Infrastructure and Operations

13.03.01 Summary Planning and Development Report May 2023

Moved: Cr Harlan
Seconded: Cr Wright

THAT Council:

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

CARRIED (6-0) ORD2023 11-105

13.03.02 Policy Review INF07 Street and Public Lighting Policy

Moved: Cr Harlan
Seconded: Cr Wright

THAT Council adopt policy INF07 Street and Public Lighting Policy, at Attachment A.

CARRIED (6-0) ORD2023 11-106

13.03.03 Thorak Regional Cemetery – Jewish Section Classification and Fees

Moved: Cr Wright
Seconded: Cr Sidey

THAT Council:

1. receive and note the request from the Chabab of Rural and Regional Australia (RARA) through Rabbi Menachem Aron to facilitate the Jewish community's requirement seeking to have the Jewish Section of Thorak Regional Cemetery changed from a Monument only section to a singular Headstone and singular Plaque section; and
2. change the fees and charges for the Jewish section from a Monument only section to a Headstone and Plaque section, in line with existing sections and fees within Thorak Regional Cemetery.

CARRIED (6-0) ORD2023 11-107

14. OTHER BUSINESS

Deputy Mayor Mackay left the meeting at 8:00pm.

14.1 Freds Pass Markets – Feedback

Southport Progress Association complimented Council in relation to the roadworks at Southport.

Deputy Mayor Mackay returned to the meeting at 8:01pm.

14.2 Special Rates Notices - Southport

Southport Progress Association enquired after the issuing of the Special Rates Notices. The Director of Corporate and Community Services advised that they will be levied in conjunction with the 2025 Rates Declaration.

15. CONFIDENTIAL ITEMS

Moved: Cr Sidey
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 Risk Management Audit Committee Unconfirmed Confidential Minutes – 31 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(c)(i) information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

CARRIED (6-0) ORD2023 11-108

The meeting moved to Confidential Session at 8:03pm.

Moved: Cr Salter
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 (6-0) ORD2023 11-110

The meeting moved to Open Session at 8:30pm.

17. CLOSE OF MEETING

The Chair closed the meeting at 8:30pm.


18. NEXT MEETING

Tuesday 20 June 2023.

MINUTES TO BE CONFIRMED

Tuesday 18 July 2023.


.....
Mayor
Doug Barden


.....
Chief Executive Officer
Stephen Hoyne