



## COUNCIL MINUTES

### LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting  
held in the Council Chambers, Litchfield  
Tuesday 21 March 2023 at 6:00pm

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Present	Doug Barden	Mayor (Chair)
	Andrew Mackay	Deputy Mayor / Councillor Central Ward
	Emma Sharp	Councillor South Ward ( <i>electronically</i> )
	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	General Manager Business Excellence
	Debbie Branson	Executive Assistant
Public	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 6:01pm*

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.

On behalf of Litchfield Council, Mayor Barden expressed his condolences to the family and friends of Mr Ian Quinn, a long-term Litchfield resident and mango farmer who passed away and to Mr Declan Laverty, a young man fatally stabbed at a Darwin bottle shop.

### **3. ELECTRONIC ATTENDANCE / APOLOGIES AND LEAVE OF ABSENCE**

#### **3.1 Electronic Attendance**

Moved: Cr Wright

Seconded: Cr Salter

THAT Council provides permission for Cr Sharp to attend the Council meeting electronically.

**CARRIED (7-0) ORD2023 11-032**

#### **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**

No disclosures of interest declared.

### **5 PUBLIC QUESTIONS**

#### **5.1 Susan Kilgour and Evonne Peckover**

*Question: Item 6.02 Business Arising*

*On behalf of the Humpty Doo Community Garden, as their Public Officer can you inform me of the management of the Village Green in the context of the Fred's pass governing body.*

*Answer: Thank you for your question submitted on 19 March 2023.*

*Options for the management of Humpty Doo Village Green are being considered by Council.*



### 5.1 Susan Kilgour and Evonne Peckover (continued)

*In the interim administration is engaging with service providers to ensure standards of cleaning, security and grounds maintenance are retained.*

*A suggestion was made to form a Committee of Council which would include the management of the Village Green and the Community Garden. Council advised that it would discuss revisiting establishing a Committee as a solution.*

### 5.2 Andrew Venhuizen

Mr Venhuizen attended the Council Meeting to report an issue at his property at 25 Whistler Court Howard Springs. The Chief Executive Officer advised he will receive a response to his request in writing in regards to the works that will be carried out in the 2023 Dry Season.

## 6 CONFIRMATION OF MINUTES

### 6.1 Confirmation of Minutes

Moved: Cr Wright  
Seconded: Cr Sidey

THAT Council confirm the:

- Ordinary Council Meeting minutes held 21 February 2023, 7 pages;
- Ordinary Confidential Council Meeting held Tuesday 17 January 2023, 2 pages; and as a true and accurate record of those meetings, subject to the following amendment:

#### ***Item 3.1 Electronic Attendance***

*THAT Council provides permission for Deputy Mayor Mackay to attend the Council meeting electronically.*

**CARRIED (7-0) ORD2023 11-033**

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

*This report was not included in the Ordinary Council Meeting February agenda and was deferred to the following meeting. Item 6.2.1 relates to the Actions outstanding from February 2023 and item 6.2.2 relates to current outstanding item.*

Moved: Deputy Mayor Mackay  
Seconded: Cr Wright

THAT Council receive and note Item 6.2.1 and 6.2.2 and within the Council agenda, Council Action Sheet / Business Arising from Previous Meetings.

**CARRIED (7-0) ORD2023 11-034**

## 7. PETITIONS

Nil.

**8. DEPUTATIONS AND PRESENTATIONS**

Nil.

**9. ACCEPTING OR DECLINING LATE ITEMS**

**9.1 Ordinary Council Meeting April 2023 – Reschedule**

Moved: Deputy Mayor Mackay  
Seconded: Cr Sharp

THAT the late report item 13.02.02 Ordinary Council Meeting April 2023 – Reschedule, be accepted and included under Officer's reports for consideration.

**CARRIED (7-0) ORD2023 11-035**

**10. NOTICES OF MOTION**

**10.1 Freds Pass Sport Recreation Management Board Funding**

Moved: Deputy Mayor Mackay  
Seconded: Cr Sharp

THAT Council receive and note Item 10.1 Freds Pass Sport Recreation Management Board Funding and refer the matter to the Confidential Section for further discussion.

**CARRIED (7-0) ORD2023 11-036**

**11. MAYORS REPORT**

Moved: Mayor Barden  
Seconded: Cr Harlan

THAT Council receive and note Item 11.01 Mayor's monthly report for the period 22 February 2023 to 21 March 2023.

**CARRIED (7-0) ORD2023 11-037**

**12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES**

Moved: Deputy Mayor Mackay  
Seconded: Cr Sharp

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

1. Risk Management and Audit Committee Meeting; and
2. CEO Performance Appraisal and Remuneration Review.

**CARRIED (7-0) ORD2023 11-038**

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

#### **13.01 Business Excellence**

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

Moved: Cr Harlan  
Seconded: Deputy Mayor Mackay

THAT Council note the Litchfield Council Finance Report for the period ended 28 February 2023.

**CARRIED (7-0) ORD2023 11-039**

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

Moved: Cr Sidey  
Seconded: Cr Wright

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

**CARRIED (7-0) ORD2023 11-040**

##### **13.01.03 Risk Management Audit Committee Open Minutes – 22 February 2023**

Moved: Cr Harlan  
Seconded: Cr Sidey

THAT Council receive and note the Risk Management Audit Committee unconfirmed open minutes from 22 February 2023 meeting, as at Attachment A.

**CARRIED (7-0) ORD2023 11-041**

#### **13.02 Council Leadership and Community Services**

##### **13.02.01 Community and Lifestyle Monthly Report – February 2023**

Moved: Cr Harlan  
Seconded: Cr Wright

THAT Council note the Community and Lifestyle Report for February 2023.

**CARRIED (7-0) ORD2023 11-042**



**13.02.02 Ordinary Council Meeting April 2023 - Reschedule**

Moved: Cr Harlan  
Seconded: Cr Sharp

THAT Council, in the absence of the Mayor, Cr Sidey and Chief Executive Officer to attend the Local Government Association of the Northern Territory General Meeting, reschedule the Ordinary Council Meeting scheduled for Tuesday 18 April 2023 to Monday 24 April 2023 (noting that Tuesday 25 April 2023 is the Anzac Day Public Holiday) and publicise the change as legislatively required.

**CARRIED (7-0) ORD2023 11-043**

**13.03 Infrastructure and Operations**

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

Moved: Cr Sharp  
Seconded: Cr Wright

THAT Council:

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

**CARRIED (7-0) ORD2023 11-044**

**14. OTHER BUSINESS**

**14.1 Jenkins Road and Elizabeth Valley – Crocodile Awareness in Drains and Culverts**

Awareness to be promoted on Council's Facebook site.

**14.2 Potential By-laws Managing Cats**

Referred to a future briefing for discussion.

**14.3 Local Government Act Changes to Legislation**

Question taken on notice.

**14.4 Questions from Elected Members recorded in the Minutes**

To be discussed in the Confidential section.

**14.5 Lobbying the Northern Territory Government – Old Railway Line – Footpaths**

Mayor Barden suggested that a formal motion be put forward for consideration.

## 15. CONFIDENTIAL ITEMS

Moved: Deputy Mayor Mackay  
Seconded: Cr Sharp

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 Correction of Assessment Record

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(b) information about the personal circumstances of a resident or ratepayer.

### 15.03 Risk Management and Audit Committee Meeting Confidential Unconfirmed Minutes – 22 February 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(e) subject to subregulation (3) - information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest.

### 15.04 Chief Executive Officers Performance Appraisal and Remuneration Review Committee Meeting Minutes – 13 March 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.

### 15.05 Notice of Motion - Freds Pass Sport Recreation Management Board Funding

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 (7-0) ORD2023 11-045**

The meeting moved to Confidential Session at 7:27pm.

*Cr Sharp left the meeting at 8:04pm.*

Moved: Cr Sidey

Seconded: Deputy Mayor Mackay

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 11-049**

The meeting moved to Open Session at 8:09pm.

**17. CLOSE OF MEETING**

The Chair closed the meeting at 8:09pm.

**18. NEXT MEETING**

Monday 24 April 2023.

**MINUTES TO BE CONFIRMED**

Monday 24 April 2023.



Mayor  
Doug Barden



Chief Executive Officer  
Stephen Hoyne