



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting

held in the Council Chambers, Litchfield

Tuesday 21 November 2023 at 6:00pm

Present	Doug Barden Andrew Mackay Mathew Salter Kevin Harlan Mark Sidey Emma Sharp	Mayor (Chair) Councillor Central Ward Councillor North Ward Councillor Central Ward Councillor South Ward Councillor South Ward (<i>electronically</i>)
Staff	Stephen Hoyne Rodney Jessup Maxie Smith Ankit Pascal Ashleigh Young Debbie Branson	Chief Executive Officer Director Infrastructure and Operations Director Corporate and Community Human Resources and Records Management (<i>electronically – in part</i>) Community Participation Officer (<i>electronically - in part</i>) 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 they 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 by Council's Recording of Council Meetings Policy.

3. ELECTRONIC ATTENDANCE / APOLOGIES AND LEAVE OF ABSENCE

3.1 Electronic Attendance

Moved: Cr Salter
Seconded: Cr Harlan

THAT Council approve Cr Sharp to attend the meeting electronically.

CARRIED (6/0) ORD2023 11-204

3.2 Apologies

Moved: Cr Mackay
Seconded: Cr Salter

THAT Council acknowledge apologies from Deputy Mayor Wright.

CARRIED (6/0) ORD2023 11-205

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

Cr Salter declared an interest in Item 15.07 Breach of Code of Conduct Complaint – 17 October 2023 and Item 15.08 Breach of Code of Conduct Complaint – 21 October 2023 and agreed to leave the meeting during the discussion.

4.2 Staff

The Chief Executive Officer declared an interest in Item 15.07 Breach of Code of Conduct Complaint – 17 October 2023 and Item 15.08 Breach of Code of Conduct Complaint – 21 October 2023 and agreed to leave the meeting during the discussion.

5. PUBLIC QUESTIONS

5.1 Ceclia Coleman – Parkin Road

Ms Coleman was invited to make an appointment with the Infrastructure Team to discuss Parkin Road.

5.2 Shirley Preston and Tim West – Freds Pass Rural Show

Refer to item 13.03.02.

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Cr Harlan
Seconded: Cr Sidey

THAT Council confirm the:

- Ordinary Council Meeting held Tuesday 17 October 2023, 8 pages;
- Ordinary Confidential Council Meeting held Tuesday 17 October 2023, 4 pages; and
- Special Council Meeting held 7 November 2023, 3 pages.

CARRIED (6/0) ORD2023 11-206

6.2 Council Action Sheet / Business Arising from Previous Meetings

Moved: Cr Mackay
Seconded: Cr Harlan

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

CARRIED (6/0) ORD2023 11-207

7. PETITIONS

Nil.

8. DEPUTATIONS AND PRESENTATIONS

Nil.

9. ACCEPTING OR DECLINING LATE ITEMS

9.1 Award Contract Variation – RFT23-329 LRCI Program – Southport Roads Upgrades

Moved: Cr Harlan

Seconded: Cr Sidey

THAT Council accept Item 15.10 Award Contract Variation – RFT23-329 LRCI Program – Southport Roads, Upgrades as a late item and include it in the Confidential Section for consideration.

CARRIED (6/0) ORD2023 11-208

10. NOTICES OF MOTION

Nil.

ORDER OF BUSINESS

Moved: Cr Harlan

Seconded: Cr Sidey

THAT Council move Item 13.03.02 Freds Pass Show Proposed Site Location forward for consideration.

CARRIED (6/0) ORD2023 11-209

13.03.02 Freds Pass Show Proposed Site Location

Moved: Cr Mackay

Seconded: Mayor Barden

THAT Council:

1. support the proposed locations for the Freds Pass Rural Show and the required upgrades to the areas:
 - a. Polocrosse carpark
 - b. Palm Garden
 - c. Paintball field
2. provide support to the Freds Pass Rural Show Incorporated by approving a budget allocation of \$150,000 towards site location upgrade works;
3. approve the use of unallocated 'New Initiative' funding for the upgrade works; and
4. support Freds Pass Rural Show Incorporated to work with the Freds Pass Sport and Recreation Management Board to develop plans for the community event moving forward.

AMENDMENT

Moved: Cr Sidey

Seconded: Cr Harlan

THAT Council lay the matter on the table until the December 2023 Ordinary Council Meeting.

MOTION LOST (2/4)

13.03.02 Freds Pass Show Proposed Site Location

THE ORIGINAL MOTION WAS PUT:

THAT Council:

1. support the proposed locations for the Freds Pass Rural Show and the required upgrades to the areas:
 - a. Polocrosse carpark
 - b. Palm Garden
 - c. Paintball field
5. provide support to the Freds Pass Rural Show Incorporated by approving a budget allocation of \$150,000 towards site location upgrade works;
6. approve the use of unallocated 'New Initiative' funding for the upgrade works; and
7. support Freds Pass Rural Show Incorporated to work with the Freds Pass Sport and Recreation Management Board to develop plans for the community event moving forward.

CARRIED (4/2) ORD2023 11-210

11. MAYORS REPORT

Moved: Mayor Barden

Seconded: Cr Harlan

THAT Council receive and note Item 11.01 Mayor's monthly report for the period 18 October 2023 to 21 November 2023.

CARRIED (6/0) ORD2023 11-211

12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

Updates from appointed representatives will be provided within the meeting during when the reports are considered.

13. OFFICERS' REPORTS

13.01 Corporate and Community

13.01.01 Litchfield Council Finance Report – October 2023

Moved: Cr Harlan

Seconded: Cr Sidey

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

CARRIED (6/0) ORD2023 11-212

13.01.02 People Performance and Governance Monthly Report – October 2023

Moved: Cr Sharp
Seconded: Cr Harlan

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

CARRIED (6/0) ORD2023 11-213

13.01.03 Risk Management and Audit Committee Open Minutes – 25 October 2023

Moved: Cr Sidey
Seconded: Cr Sharp

THAT Council receive and note the Risk Management Audit Committee unconfirmed open minutes from 25 October 2023 meeting, as at Attachment A.

CARRIED (6/0) ORD2023 11-214

13.01 Executive and Community Development

13.02.01 Community Services and Development Monthly Report – October 2023

Moved: Cr Harlan
Seconded: Cr Sharp

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

CARRIED (6/0) ORD2023 11-215

13.02.02 Howard Park Recreation Reserve Management Committee Minutes

Moved: Cr Salter
Seconded: Cr Harlan

THAT Council receive and note the unconfirmed Howard Park Recreation Reserve Management Committee Minutes of 2 October 2023, at Attachment A.

CARRIED (6/0) ORD2023 11-216

13.02.03 Knuckey Lagoon Recreation Reserve Management Committee Minutes

Moved: Cr Sidey
Seconded: Cr Mackay

THAT Council receive and note the unconfirmed Knuckey Lagoon Recreation Reserve Management Committee Minutes of 30 October 2023, at Attachment A.

CARRIED (6/0) ORD2023 11-217

13.03 Infrastructure and Operations

13.03.01 Summary Planning and Development Report October 2023

Moved: Cr Salter
Seconded: Cr Mackay

THAT Council:

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

CARRIED (6/0) ORD2023 11-218

14. OTHER BUSINESS

14.01 Deputy Mayor

Appreciation to be expressed to the Deputy Mayor for filling the role of the Mayor during his leave of absence.

15. CONFIDENTIAL ITEMS

Moved: Cr Harlan
Seconded: Cr Mackay

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 Risk Management and Audit Committee Unconfirmed Confidential Minutes – 25 October 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*.

(c)(i) information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

15. CONFIDENTIAL ITEMS (Continued)

15.03 Humpty Doo Village Green 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)(iii) information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff.

15.04 Appointment of External Auditors

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.

15.05 2023-2024 Annual Community Grants

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 Award Contract – RFT23-365 Maintenance of Pavement Repairs and New Works

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)(i) information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

15.07 Breach of Code of Conduct Complaint – 17 October 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*.

(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. CONFIDENTIAL ITEMS (Continued)

15.08 Breach of Code of Conduct Complaint – 21 October 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*.

(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.

15.09 Code of Conduct Complaints – Status Update

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.

15.10 Award Contract Variation – RFT23-329 LRCI Program – Southport Roads Upgrades

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)(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 11-219

The meeting moved to Confidential Session at 7:38pm.

Cr Sharp left the meeting at 8:33pm and Cr Salter left the meeting at 8:48pm.

Moved: Cr Harlan

Seconded: Cr 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 (4-0) ORD2023 11-230

The meeting moved to Open Session at 9:20pm.

Items moved from Confidential

15.04 Appointment of External Auditor

Moved: Cr Sidey
Seconded: Cr Harlan

THAT Council:

1. authorise the Chief Executive Officer to engage KPMG as the external financial auditor for a two-year term beginning in 2023-24 financial year and ending in 2024-25 financial year;
2. recommend the approval of the external auditor's remuneration of \$93,580 (excluding GST and out of pocket expenses) for the two-year term; and
3. make public its Resolution on this matter.

CARRIED (5/0) ORD2023 11-225

17. CLOSE OF MEETING

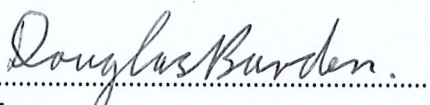
The Chair closed the meeting at 9:20pm.

18. NEXT MEETING

Tuesday 12 December 2023.

MINUTES TO BE CONFIRMED

Tuesday 12 December 2023.



Mayor
Doug Barden



Chief Executive Officer
Stephen Hoyne