



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting

held in the Council Chambers, Litchfield

Tuesday 12 December 2023 at 6:00pm

Present	Doug Barden Rachael Wright Andrew Mackay Kevin Harlan Emma Sharp	Mayor (Chair) Deputy Mayor, Councillor North Ward Councillor Central Ward Councillor Central Ward Councillor South Ward
Staff	Stephen Hoyne Rodney Jessup Maxie Smith Ashleigh Young Debbie Branson	Chief Executive Officer Director Infrastructure and Operations Director Corporate and Community 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

Nil.

3.2 Apologies

Moved: Cr Harlan

Seconded: Deputy Mayor Wright

THAT Council acknowledge apologies from Cr Sidey.

CARRIED (5/0) ORD2023 11-230

Elected Members were advised that Cr Salter was attending the meeting electronically however he advised the Mayor over a mobile telephone conversation he was unable to join.

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

Nil.

4.2 Staff

Nil.

5. PUBLIC QUESTIONS

Nil.

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Deputy Mayor Wright

Seconded: Cr Sharp

THAT Council confirm the:

- Ordinary Council Meeting held Tuesday 21 November 2023, 10 pages, as amended as follows:
 - Item 13.02.03 the mover and seconder be recorded; and
- Ordinary Confidential Council Meeting held Tuesday 21 November 2023, 5 pages.

CARRIED (5/0) ORD2023 11-231

6.2 Council Action Sheet / Business Arising from Previous Meetings

Moved: Deputy Mayor Wright

Seconded: Cr Harlan

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

CARRIED (5/0) ORD2023 11-232

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 22 November 2023 to 12 December 2023.

CARRIED (5/0) ORD2023 11-233

12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

Refer to the Confidential Section.

13. OFFICERS' REPORTS

13.01 Corporate and Community

13.01.01 Litchfield Council Finance Report – November 2023

Moved: Cr Sharp
Seconded: Cr Harlan

THAT Council:

1. note the Litchfield Council Finance Report for 30 November 2023; and
2. approve the term deposit invested on 22 November 2023 for 370 days with Bendigo Bank.

CARRIED (5/0) ORD2023 11-234

13.01.02 Budget Review 1 – 2023/2024

Moved: Cr Harlan
Seconded: Cr Mackay

THAT Council approve the amendments to the 2023-2024 budget as per the Budget Review 1 2023/2024.

CARRIED (5/0) ORD2023 11-235

13.01.03 People Performance and Governance Monthly Report – November 2023

Moved: Cr Sharp
Seconded: Cr Harlan

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

CARRIED (5/0) ORD2023 11-236

13.01.04 Burial and Cremation Act 2022 - Delegation

Moved: Cr Harlan
Seconded: Deputy Mayor Wright

THAT Council:

1. notes the superseded legislation in the resolution below, and the removal of the resolution from Council's Delegation Manual:

Pursuant to Section 12 of the Cemeteries Act, delegates to the Chief Executive Officer all its powers and functions under the Cemeteries Act to undertake the care, control and management of the public cemetery known as Thorak Regional Cemetery and located in Litchfield Council's area (Section 269 Local Government Act); and

2. notes that the *Burial and Cremation Act 2022* directly provides delegation to both the Council and Chief Executive Officer.

CARRIED (5/0) ORD2023 11-237

13.02 Executive and Community Development

13.02.01 Community Services and Development Monthly Report – November 2023

Moved: Cr Sharp
Seconded: Deputy Mayor Wright

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

CARRIED (5/0) ORD2023 11-238

13.02.02 NTCAT Decision – Salter vs Fletcher

Moved: Cr Harlan
Seconded: Cr Mackay

THAT Council receive and note the NTCAT Decision – Salter vs Fletcher report.

CARRIED (5/0) ORD2023 11-239

13.03 Infrastructure and Operations

13.03.01 Summary Planning and Development Report November 2023

Moved: Cr Harlan
Seconded: Cr Sharp

THAT Council:

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

CARRIED (5/0) ORD2023 11-240

13.03.02 Cost to maintain eight owned Council reserves

Moved: Cr Harlan
Seconded: Cr Mackay

THAT Council support and note the proposed timeline to provide individual asset management plans for all Council reserves.

CARRIED (5/0) ORD2023 11-241

13.03.03 INF06 Private Roads Policy – Extension of Review

Moved: Cr Mackay

Seconded: Cr Sharp

THAT Council:

1. adopt the draft policy INF06 Private Roads Policy, as at Attachment A, for the standard policy period of one year and authorise the Chief Executive Officer to make minor amendments; and
2. approve the ongoing review of the private roads policy as a 'project' to be completed by December 2024 and approve additional funding for consultants and legal fees in the current budget.

CARRIED (5/0) ORD2023 11-242

13.03.04 Policy Review – INF08 Subdivision and Development

Moved: Deputy Mayor Wright

Seconded: Cr Harlan

THAT Council:

1. note the status of the implementation of Northern Territory Subdivision Development Guidelines, including Council's Schedule of Variations; and
2. support the proposed changes to INFO08 Subdivision and Development Policy to align with the introduction of the Northern Territory Subdivision Development Guidelines.

CARRIED (5/0) ORD2023 11-243

14. OTHER BUSINESS

Nil.

15. CONFIDENTIAL ITEMS

Moved: Cr 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*:

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

15. CONFIDENTIAL ITEMS (Continued)

15.02 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.

15.03 Australia Day Awards Panel Meeting 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*.

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

15.04 Application to Write-Off Rates and Charges

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*.

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

CARRIED (5/0) ORD2023 11-244

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

Cr Harlan left the meeting at 6:58pm.

Moved: Cr Sharp

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 11-248

The meeting moved to Open Session at 7:24pm.

Items moved from Confidential

15.04 Application to Write-Off Rates and Charges

Moved: Cr Mackay
Seconded: Deputy Mayor Wright

THAT Council:

1. approve the write-off rates charges, totalling \$11,586.49, for Assessment 10032506 being a Cross Referenced lot;
2. approve the write-off rates and interest charges, totalling \$3,914.10, for Assessment 10004554 being a non-rateable lot; and
3. make public its resolution on this matter.

CARRIED (4/0) ORD2023 11-247

17. CLOSE OF MEETING

The Chair closed the meeting at 7:24pm.

18. NEXT MEETING

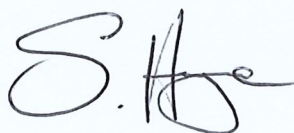
Tuesday 16 January 2024.

MINUTES TO BE CONFIRMED

Tuesday 16 January 2024.



Mayor
Doug Barden



Chief Executive Officer
Stephen Hoyne