



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting

held in the Council Chambers, Litchfield

Tuesday 16 January 2024 at 6:00pm

Present	Doug Barden Rachael Wright Andrew Mackay Kevin Harlan Emma Sharp Mathew Salter Mark Sidey	Mayor (Chair) Deputy Mayor, Councillor North Ward (<i>electronically</i>) Councillor Central Ward Councillor Central Ward Councillor South Ward Councillor North Ward Councillor South Ward (<i>electronically</i>)
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 6:01pm

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 Harlan

Seconded: Cr Sharp

THAT Council approve Deputy Mayor Wright and Cr Sidey to attend the meeting electronically.

CARRIED (7/0) ORD2024 11-001

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

Cr Salter disclosed a conflict of interest in Item 15.05 Breach of Code of Conduct Complaint – 21 October 2023 and agreed to leave the meeting before this item was considered.

4.2 Staff

Chief Executive Officer, Stephen Hoyne disclosed a conflict of interest in Item 15.05 Breach of Code of Conduct Complaint – 21 October 2023 and Item 15.06 NTCAT Orders and agreed to leave the meeting before these items were considered.

5. PUBLIC QUESTIONS

Nil.

6 CONFIRMATION OF MINUTES

6.1 Confirmation of Minutes

Moved: Cr Sharp
Seconded: Cr Mackay

THAT Council confirm the:

- Ordinary Council Meeting held Tuesday 12 December 2023, 8 pages, as amended:
Item 13.03.03 changing the voting from 0/0 to 5/0; and
- Ordinary Confidential Council Meeting held Tuesday 12 December 2023, 2 pages.

CARRIED (7/0) ORD2024 11-002

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 (7/0) ORD2024 11-003

7. PETITIONS

Nil.

8. DEPUTATIONS AND PRESENTATIONS

Nil.

9. ACCEPTING OR DECLINING LATE ITEMS

Moved: Cr Harlan
Seconded: Cr Mackay

THAT the late report Item 15.06 NTCAT Orders – Case Number 2023-04224-CT, be accepted and included under Officer's Reports in the Confidential Section of the meeting for consideration.

CARRIED (7/0) ORD2024 11-004

10. NOTICES OF MOTION

Nil.

11. MAYORS REPORT

Moved: Cr Sharp
Seconded: Cr Harlan

THAT Council receive and note Item 11.01 Mayor's monthly report for the period 13 December 2023 to 16 January 2024.

CARRIED (7/0) ORD2024 11-005

12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

Nil.

13. OFFICERS' REPORTS

13.01 Corporate and Community

13.01.01 Litchfield Council Finance Report – December 2023

Moved: Cr Sharp
Seconded: Cr Harlan

THAT Council note the Litchfield Council Finance Report for 31 December 2023.

CARRIED (7/0) ORD2024 11-006

13.01.02 FIN03 Procurement Policy

Moved: Cr Harlan
Seconded: Cr Mackay

THAT Council adopt the draft policy FIN03 Procurement Policy, as at Attachment A, and authorises the Chief Executive Officer to make minor amendments.

CARRIED (7/0) ORD2024 11-007

13.01.03 People Performance and Governance Monthly Report – December 2023

Moved: Cr Sharp
Seconded: Deputy Mayor Wright

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

CARRIED (7/0) ORD2024 11-008

13.02 Executive and Community Development

13.02.01 Community Services and Development Monthly Report – December 2023

Moved: Cr Harlan
Seconded: Cr Sidey

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

CARRIED (7/0) ORD2024 11-009

13.02.02 Municipal Plan 2023-2024 Quarterly Performance Report October – December 2023

Moved: Cr Harlan
Seconded: Cr Sharp

THAT Council receive and note the Municipal Plan 2023-2024 Quarterly Performance Report October – December 2023 report.

CARRIED (7/0) ORD2024 11-010

13.03 Infrastructure and Operations

13.03.01 Summary Planning and Development Report December 2023

Moved: Cr Sharp
Seconded: Cr Harlan

THAT Council:

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

CARRIED (7/0) ORD2024 11-011

13.03.02 Guys Creek Road Upgrade – Revised Design

Moved: Cr Sidey
Seconded: Cr Harlan

THAT Council:

1. approve the reduction in design requirements noting the risk associated;
2. approve the additional budget of \$500,000 to be taken from Asset Financial Reserves for upgrades to Guys Creek Road, noting the new total budget to be \$1,750,000 (excluding GST); and
3. proceed to Tender with the revised design and budget allocation.

CARRIED (6/1) ORD2024 11-012

14. OTHER BUSINESS

14.1 Notice of Motion – Cr Salter

Cr Salter tabled a proposal which he intended on including in a Notice of Motion to the next Ordinary Council Meeting.

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 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 Update on Compliance Review

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.

15.04 Additional Funding Request – Forward Design

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.

15.05 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*.

(f) subject to subregulation (2) – information in relation to a complaint of a contravention of the code of conduct.

15.06 NTCAT Orders – Case Number 2023-04224-CT

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.

CARRIED (7/0) ORD2024 11-013

The meeting moved to Confidential Session at 7:14pm.

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) ORD2024 11-019

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

Items moved from Confidential

15.04 Additional Funding Request – Forward Design

Moved: Cr Harlan

Seconded: Cr Sharp

THAT Council:

1. approve additional \$300,000.00 of project design budget in the 2023/24 financial year in addition to the already allocated \$350,000 for general consultancy, and is to be taken from the Asset Financial Reserve, and;
2. make the resolution public once resolved.

CARRIED (5/2) ORD2023 11-016

17. CLOSE OF MEETING

The Chair closed the meeting at 8:21pm.

18. NEXT MEETING

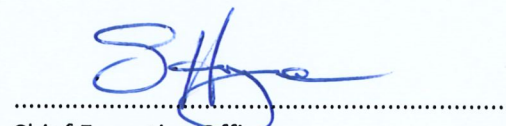
Tuesday 20 February 2024.

MINUTES TO BE CONFIRMED

Tuesday 20 February 2024.

A handwritten signature in blue ink, reading "Douglas Barden", written over a horizontal dotted line.

Mayor
Doug Barden

A handwritten signature in blue ink, reading "Stephen Hoyne", written over a horizontal dotted line.

Chief Executive Officer
Stephen Hoyne