



COUNCIL MINUTES

LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting
held in the Council Chambers, Litchfield
on Tuesday 20 August 2024 at 6:00pm

Present	Doug Barden Kevin Harlan Rachael Wright Mark Sidey Emma Sharp	Mayor (Chair) Deputy Mayor, Councillor Central Ward Councillor North Ward Councillor South Ward Councillor South Ward
Staff	Stephen Hoyne Maxie Smith Rodney Jessup Jill Enriquez Megan Leo	Chief Executive Officer Director Corporate and Community Director Infrastructure and Operations Community Participation Officer (<i>electronically in part</i>) Executive Support
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

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

Nil.

4.2 Staff

The Chief Executive Officer declared a conflict of interest for Agenda Item 15.01.06 – Endorsement of the CEO Performance and Remuneration Review Committee to be considered in the Confidential Section of the meeting.

5. PUBLIC QUESTIONS

Cr Sharp joined the meeting at 6:03pm.

- 5.01 Mr Tony Pritchard addressed the meeting seeking a conclusion to a matter formally raised with Council. Mr Pritchard further asked if his Freedom of Information request will be handled in line with Legislation.

Response:

Council's Chief Executive Officer, Stephen Hoyne, advised Mr Pritchard that his accusation was investigated and was found to not have substance and notification was provided informing of such.

The Mayor and Mr Hoyne advised that Freedom of Information requests are handled in accordance with all relevant Legislation.

6. CONFIRMATION OF MINUTES

6.1 Confirmation of Council Minutes

Moved: Deputy Mayor Harlan

Seconded: Cr Wright

THAT Council confirms the following minutes as a true and accurate record of those meetings:

- Ordinary Council Meeting held Tuesday 16 July 2024, 11 pages; and
- Ordinary Confidential Meeting held Tuesday 16 July 2024, 4 pages.

CARRIED (5-0) ORD2024 11-171

6.2 Council Action Sheet / Business Arising from Previous Meetings

Moved: Cr Sidey

Seconded: Cr Sharp

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

CARRIED (5-0) ORD2024 11-172

7. PETITIONS

Nil

8. DEPUTATIONS AND PRESENTATIONS

Nil.

9. ACCEPTING OR DECLINING LATE ITEMS

Moved: Cr Wright

Seconded: Deputy Mayor Harlan

THAT Council:

- 1 accept late report Item 13.03.06 Disposal of Contaminated Concrete Waste Stockpiles from Council's Waste Transfer Stations and amend Order of Business to consider this matter directly prior to Item 13.03.03 Managing Concrete Waste at Council's Waste Transfer Stations; and
2. accept the late report items listed below to be included under Officer's Reports in the Confidential Section of the meeting for consideration:
 - a) Item 15.01.06 Endorsement of Endorsement of CEO Performance and Remuneration Review Committee Decision; and
 - b) Item 15.01.07 Thriving Suburbs Program – Project Selection.

CARRIED (5-0) ORD2024 11-173

10. NOTICES OF MOTION

Nil.

11. MAYORS REPORT

Moved: Mayor Barden
Seconded: Deputy Mayor Harlan

THAT Council receive and note Item 11.01 Mayor's monthly report for the period 17 July 2024 to 20 August 2024.

CARRIED (5-0) ORD2024 11-174

12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

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

13. OFFICERS' REPORTS

13.01 Corporate and Community

13.01.01 Litchfield Council Finance Report – July 2024

Moved: Deputy Mayor Harlan
Seconded: Cr Wright

THAT Council note the Litchfield Council Finance Report for 31 July 2024.

CARRIED (5-0) ORD2024 11-175

13.01.02 People, Performance and Governance Report – July 2024

Moved: Deputy Mayor Harlan
Seconded: Cr Wright

THAT Council note the People, Performance and Governance Report for July 2024.

CARRIED (5-0) ORD2024 11-176

13.01.03 FIN09 Risk Management and Audit Committee Policy

Moved: Cr Wright

Seconded: Cr Sidey

THAT Council:

1. adopts draft FIN09 Risk Management and Audit Committee policy, as at Attachment A; and
2. authorises the Chief Executive Officer to make minor editorial changes.

CARRIED (5-0) ORD2024 11-177

13.02 Executive and Community Services

Community Participation Officer, Jill Enriquez, joined the meeting at 6:23pm.

13.02.01 Community Services and Development Monthly Report – July 2024

Moved: Deputy Mayor Harlan

Seconded: Cr Sidey

THAT Council note the Community Services and Development Monthly Report for July 2024.

CARRIED (5-0) ORD2024 11-178

13.02.02 Correction to Open Minutes – Ordinary Council Meeting 18 June 2024

Moved: Mayor Barden

Seconded: Deputy Mayor Harlan

THAT Council:

1. Rescind Resolution ORD2024 11-148, confirming the minutes of the:
 - a) Ordinary Council Meeting held Tuesday 18 June 2024, 11 pages; and
 - b) Ordinary Confidential Meeting held Tuesday 18 June 2024, 4 pages.
2. confirms the following minutes as a true and accurate record of those meetings:
 - a) Ordinary Council Meeting held Tuesday 18 June 2024, 11 pages, with changes made to Item number 13.02.04 as outlined in Attachment A to this report; and
 - b) Ordinary Confidential Meeting held Tuesday 18 June 2024, 4 pages, no changes.
3. publishes the confirmed Ordinary Council Meeting held Tuesday 18 June 2024 on Council's website.

CARRIED (5-0) ORD2024 11-179

13.02.03 “Too Much Stuff?” Market Trial – Rescinding of Council Resolution

Moved: Deputy Mayor Harlan
Seconded: Cr Sidey

THAT Council rescind Resolution ORD2024 11-110, made at the 21 May 2024 Ordinary Meeting of Council relating to the trial delivery of the “Too Much Stuff?” Market.

CARRIED (5-0) ORD2024 11-180

13.03 Infrastructure and Operations

13.03.01 Summary Planning and Development Report – July 2024

Moved: Deputy Mayor Harlan
Seconded: Cr Wright

THAT Council:

1. receive the Summary Planning and Development Report July 2024; and
2. note for information the responses provided to relevant agencies within Attachments A to F of this report.

CARRIED (5-0) ORD2024 11-181

13.03.02 New Policy – CEM05 Multiple Burial Policy

Moved: Cr Sharp
Seconded: Deputy Mayor Harlan

THAT Council:

1. adopts draft CEM05 Multiple Burial policy, as at Attachment A; and
2. authorises the Chief Executive Officer to make minor editorial changes.

CARRIED (5-0) ORD2024 11-182

13.03.06 Disposal of Contaminated Concrete Waste Stockpiles from Council’s Waste Transfer Stations

Moved: Deputy Mayor Harlan
Seconded: Cr Wright

THAT Council resolve to commit a Budget of \$3,000,000.00 to disposing of the contaminated concrete waste piles from Howard Springs and Humpty Doo Waste Transfer Stations. The budget is to come from the Waste Asset Reserve.

CARRIED (5-0) ORD2024 11-183

13.03.03 Managing Concrete Waste at Council's Waste Transfer Stations

Moved: Cr Sidey
Seconded: Cr Wright

THAT Council Support the proposal to no longer accept any type of concrete waste from residential and commercial customers.

CARRIED (5-0) ORD2024 11-184

13.03.04 Once Off Waste Clean-up Amnesty

Cr Wright left the room at 7:22pm and returned to the meeting at 7:23pm.

Moved: Cr Sharp
Seconded: Cr Wright

THAT Council implement a voucher system, providing all rateable properties with a number of vouchers permitting the resident to dump the specified number of items upon redemption of the voucher.

CARRIED (3-2) ORD2024 11-185

A Division was called.

Those voting in the affirmative Mayor Barden, Cr Wright and Cr Sharp.

Those voting in the negative Deputy Mayor Harlan and Cr Sidey.

13.03.05 Humpty Doo Village Green – Capital Works

Moved: Cr Sharp
Seconded: Cr Wright

THAT Council approve the allocation of \$45,000 from the New Initiatives budget to complete the following Capital Works projects at the Humpty Doo Village Green:

- a) Shade Sail replacement;
- b) Gate/fence replacement works; and
- c) Development of an art mural at the skate park.

CARRIED (4-1) ORD2024 11-186

Community Participation Officer, Jill Enriquez, left the meeting at 7:45pm.

14. OTHER BUSINESS

Chief Executive Officer Stephen Hoyne left the room at 7:42pm and returned to the meeting at 7:44pm.

- 14.01 Mayor Barden raised the concerns of a resident that a sign is required at the unmaintained portion of Livingstone Road.
- 14.02 Cr Sharp raised an email communication from the Office of the Member for Daly relating to a serious road safety issue due to a lack of Zebra Crossing(s) on Challoner Circuit, Humpty Doo.

Director Infrastructure and Operations, Rodney Jessup, left the room at 7:44pm and returned to the meeting at 7:46pm.

15. CONFIDENTIAL ITEMS

Moved: Cr Sharp
Seconded: Cr Wright

THAT Council Pursuant to Section 99 (2) of the *Local Government Act* and Regulation 51(1) of the *Local Government (General) Regulations 2019* the meeting be closed to the public to consider the following Confidential Items:

15.01.01 Confirmation of Confidential 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.

15.01.02 Composition of the Risk Management and Audit Committee

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.

15.01.03 Application for Write-Off of Rate 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*.

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

15.01.04 Special Rate – Road Seal Levy Meade Road

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.

15.01.05 Freds Pass Reserve \$10M Grant- Project Steering Committee 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*.

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.

15.01.06 Endorsement of CEO Performance and Remuneration Review Committee Decision

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.

15.01.07 Thriving Suburbs Program – Project Selection

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 (5-0) ORD2024 11-187

The meeting moved to Confidential Session at 7:45pm.

Moved: Cr Sharp
Seconded: Cr Wright

THAT pursuant to Section 93(2) of the *Local Government Act 2019* and Regulation 51 of the *Local Government (General) Regulations 2021* the meeting be re-opened to the public.

CARRIED (5-0) ORD2024 11-195

The meeting moved to Open Session of the meeting at 8:29pm.

Items moved from Confidential:

15.01.02 Composition of the Risk Management and Audit Committee

Moved: Cr Sidey

Seconded: Cr Sharp

THAT Council:

1. appoint Councillor Wright and Deputy Mayor Harlan to the Risk Management and Audit Committee for the remainder of the current term of Council; and
2. make public its resolution on this matter.

CARRIED (5-0) ORD2024 11-188

15.01.03 Application to Write-Off Rates and Charges

Moved: Cr Sharp

Moved: Cr Wright

THAT Council:

1. reverse levy and write-off rates charges, totalling \$3,532.67, for Assessment 10019321 and 10114452.
2. make public its resolution on this matter.

CARRIED (5-0) ORD2024 11-189

15.01.04 Special Rate – Road Seal Levy Meade Road

Moved: Cr Sidey

Moved: Deputy Mayor Harlan

THAT Council:

1. approves for consultation the charge of \$4,873 plus CPI since the levying of Guys Creek Road, Road Seal Levy (3 years) per property in Meade Road, Road Seal Levy; and
2. approves the commencement of the advertising and twenty-one-day consultation process for this Road Seal Levy; and
3. makes public its resolution of this matter.

CARRIED (5-0) ORD2024 11-190

16. CLOSE OF MEETING

The Chair closed the meeting at 8:30pm

17. NEXT MEETING

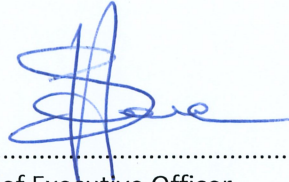
Tuesday 17 September 2024

MINUTES TO BE CONFIRMED

Tuesday 17 September 2024

A handwritten signature in blue ink, reading "Doug 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