

AGENDA

Ordinary Meeting of Council

Tuesday 23 June 2020
Ordinary Meeting 6.00pm

Council Chambers, Civic Centre,
Stuart Highway, Katherine

The CEO of Katherine Town Council hereby provides notice of the
Ordinary Meeting of Council, in accordance with
Section 59 of the Local Government Act

ELECTED MEMBERS : - Mayor Fay Miller
- Deputy Mayor Peter Gazey
- Alderman Elisabeth Clark
- Alderman Toni Tapp-Coutts
- Alderman John Zelley
- Alderman Jon Raynor
- Alderman Matthew Hurley

OFFICERS : - Mr Ian Bodill – Chief Executive Officer (CEO)
- Mrs Claire Johansson –Chief Operations Officer (COO)
- Ms Rosemary Jennings – Executive Manager Corporate and Community Development (XCS)
- Brendan Pearce – Executive Manager Infrastructure and Environment (XIE)
- Mr Jherry Matahelumual – Executive Assistant (Minutes Taker)

WEBCASTING DISCLAIMER

The Katherine Town Council is live webcasting the Open Section of Ordinary Council Meetings. Audio-visual recording equipment has been configured to avoid coverage of the public gallery area and the Katherine Town Council will use its best endeavours to ensure images in this area are not webcast. However, the Katherine Town Council expressly provides no assurances to this effect and in the event your image is webcast, you will by remaining in the public gallery area be taken to have given the Katherine Town Council a non-exclusive licence to copy and broadcast your image worldwide for no reward.

Every care is taken to maintain privacy and attendees are advised they may be recorded. In the case of livestreaming becomes unavailable due to technical difficulties, Council will attempt every effort to ensure the live streaming issues are rectified promptly. Technical issues may include, but are not limited to the availability of the internet connection, device failure or malfunction, unavailability of social media platforms or power outages. Council will take no responsibility for, and will not be held liable for the unavailability of live streaming in part or full; due to technical issues beyond its control.

Webcasting of Special or Ordinary Council Meetings and any other public forums and meetings authorised by the CEO remain the property of Katherine Town Council. Access to live streams and recording of meeting is provided for personal and non-commercial use. Video, images and audio must not be altered, reproduced or republished without the permission of the CEO. Opinions expressed or statements made by individual persons during a meeting are not the opinions or statements of Katherine Town Council. Council therefore accepts no liability for any defamatory remarks that are made during a meeting.

ORDER OF BUSINESS**1. ACKNOWLEDGEMENT OF COUNTRY**

I am honoured to be on the ancestral lands of Katherine's Aboriginal peoples. I acknowledge the First Australians as the traditional custodians of the continent, whose cultures are among the oldest living cultures in human history. I pay respect to the Elders of the community and extend my recognition to their descendants' past, present and emerging.

2. OPENING PRAYER

Grant O God to this Council wisdom, understanding and sincerity of purpose in the Governance of this Municipality. Amen

3. MEETING DECLARED OPEN**4. APOLOGIES AND LEAVE OF ABSENCE**

4.1 Apologies

4.2 Leave of Absence

5. CONFLICT OF INTEREST

Members Disclosure Conflict of Interest

Council declares any conflicts of interest in line with Conflict of Interest Policy. A copy of this policy can be downloaded from www.katherine.nt.gov.au or obtained by emailing records@krc.nt.gov.au

6. CONFIRMATION OF PREVIOUS MINUTES

6.1 Minutes of the Ordinary Meeting of Council held on 26 May 2020

7. BUSINESS ARISING FROM PREVIOUS MINUTES**8. MAYORAL BUSINESS****9. CORRESPONDENCE AND DOCUMENTS TO BE TABLED****10. PETITIONS**

11. PUBLIC QUESTION TIME**12. NOTICE OF MOTION**

- 12.1 Notice of Motion : Ban of Single Use Plastics on Council Facilities_____ 1
- 12.2 Notice of Motion : Conduct a Sign's Audit and Replacement Program_____ 2
- 12.3 Notice of Motion : Wayfinder Signage_____ 3

13. REPORTS OF OFFICERS

- 13.1 Monthly Report of the Chief Executive Officer for the
Month of May 2020_____ 4 -15
- 13.2 Monthly Finance Report – May 2020_____ 16-23
- 13.3 Public Order and Safety Report_____ 24-26
- 13.4 Revision of Audit and Risk Management Committee Charter and Policy_____ 27-48
- 13.5 Monthly Report of the Community Services Department
for the Month of May 2020_____ 49-53
- 13.6 Liquor Licencing Act – Permit to Consume Alcohol
Katherine Krocs Golden Oldies Inc._____ 54-57
- 13.7 Liquor Licencing Act – Request to Gazette
Katherine Vehicle Enthusiast Club_____ 58-62
- 13.8 NT Liquor Act – Permit to Consume Alcohol – Katherine Tennis Club_____ 63-66
- 13.9 Infrastructure & Environment Services Report
for the Month of May 2020_____ 67-70
- 13.10 Emungalan Bridge Renewal
Funding and Project Management Agreement_____ 71 -98
- 13.11 DP20 – 0046 Power Water Sewerage Easement_____ 99-108

14. REPORTS FROM REPRESENTATIVES ON COMMITTEES

- 14.1 Minutes of Audit Committee Meeting
held on 2 April 2020_____ 109-111
- 14.2 Minutes of Showgrounds Advisory Committee Meeting
held on 9 June 2020_____ 112-115

15. ELECTED MEMBERS ACTIVITIES**16. LATE AGENDA****17. GENERAL BUSINESS**

18. CLOSURE OF MEETING TO PUBLIC

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the Confidential Items of the Agenda

19. CONFIDENTIAL ITEMS

Recommendations

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 65(2) of the Local Government Act: 26.1.

19.1 Unconfirmed Minutes of Confidential Items of the Ordinary Meeting of Council held on 28 April 2020

19.2 Minutes Special Confidential Meeting held on 5 June 2020 at 3.30 PM

19.3 Minutes Special Confidential Meeting held on 5 June 2020 at 3.45 PM

These matters are considered to be confidential under Section 65(2) - 8(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of these matters in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.

20. RESUMPTION OF OPEN MEETING**21. NEXT ORDINARY MEETING OF COUNCIL**

That the Ordinary Meeting of Council for 2020 will be held on Tuesday 28 July 2020.

22. CLOSURE OF MEETING

KATHERINE TOWN COUNCIL**NOTICE OF MOTION**

NO : 12.1

FOLDER : LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING/NOTICE OF MOTION

MEETING : ORDINARY COUNCIL MEETING – (23/06/2020)

MOTION TITLE : BAN OF SINGLE USE PLASTICS ON COUNCIL FACILITIES

MOVER : ALDERMAN TONI TAPP COUTTS

ATTACHMENT/S : NIL

BACKGROUND

The Elected Members of the Katherine Town Council identified very early in their term that environmental efficiencies were a priority for all, and that an option was for Council to mitigate the amount of plastics being dumped at the Waste Management Station and reducing landfill. It has been identified that banning the use of all single use plastic on council facilities is a good step in the right direction.

This has been on the agenda for over two years despite constant requests by the Elected members to have this policy and a timeline implemented for activation has not been achieved to date.

MOTION

1. That Elected Members request that the Ban of Single Use Plastics Policy be implemented on the 1st of January 2021 and that Council commence a community education program to ensure full consultation with all users of the Council facilities leading to this date.

KATHERINE TOWN COUNCIL**NOTICE OF MOTION**

NO : 12.2

FOLDER : LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING/NOTICE OF MOTION

MEETING : ORDINARY COUNCIL MEETING – (23/06/2020)

MOTION TITLE : CONDUCT A SIGNS AUDIT AND REPLACEMENT PROGRAM

MOVER : ALDERMAN JOHN ZELLEY

ATTACHMENT/S : NIL

BACKGROUND

Elected Members request a street signs and facility signage audit to be conducted throughout the Municipality. The Council created a new logo and branding to rejuvenate the town over four years ago. A number of public area signage still has the old logo, for example The Aquatic Centre, The KTC Works Depot in Crawford Street and Katherine Showgrounds.

There are a large number of street signs missing throughout the suburbs that need to be replaced or renewed.

There is a large number of very faded parking signs, business advertising and directional signage in the CBD in dire need of upgrading.

MOTION

1. That the Council conduct a signs audit and replacement program as a priority and a budget be established for replacement and renewal of town signs as soon as possible.

KATHERINE TOWN COUNCIL**NOTICE OF MOTION**

NO : 12.3

FOLDER : LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING/NOTICE OF MOTION

MEETING : ORDINARY COUNCIL MEETING – (23/06/2020)

MOTION TITLE : WAYFINDER SIGNAGE

MOVER : ALDERMAN TONI TAPP COUTTS

ATTACHMENT/S : NIL

BACKGROUND

The Katherine Town Council received a grant of \$86,364 in 2018/19 to create targeted wayfinding signage to assist locals and visitors with clear directions to public parking, toilets, and major facilities within the CBD.

Final designs and colours have been approved and this signage was to be installed in time for the tourist season 2019.

The Elected Members request that this be implemented as a matter of urgency to support local business and tourism and compliment the new CBD/Town Square development.

MOTION

1. That Katherine Town Council considers it a priority to install the Wayfinding Signage urgently and acquit the budget/grant to finalise this project.

KATHERINE TOWN COUNCIL



REPORT

NO : 13.1

FOLDER : LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING/REPORTS TO COUNCIL/CHIEF EXECUTIVE OFFICER

MEETING : ORDINARY COUNCIL MEETING – (23/06/2020)

REPORT TITLE : MONTHLY REPORT OF THE CHIEF EXECUTIVE OFFICER FOR THE MONTH OF MAY 2020

AUTHOR : JHERRY MATAHELUMUAL, EXECUTIVE ASSISTANT TO THE CEO

ATTACHMENT/S : NIL

PURPOSE OF REPORT

To provide ongoing updates to the Council and to present the Report of the Chief Executive Officer for the Month of May 2020.

COMMENTS

The following highlights the official engagements of the Chief Executive Officer for Council's attention:

Meeting with Water Resources Division - Department of Environment and Natural Resources

On 27 May 2020, CEO and XIE met with Gavin Lovelock and Brett Doherty, Water Resources Manager and Officer respectively and discussed the Katherine Town Councils water extraction licence and general water related matters within the Katherine region.

KTC's allocation is the same as the previous years but Council has been requested to be vigilant of water wastage and ensure watering of parks, gardens and grounds are done so with care and consideration.

Meeting with Minister for Infrastructure, Planning and Logistics, Hon Eva Lawler MLA

On Thursday 28 May 2020, CEO facilitated a meeting between Minister Lawler MLA and Mayor Fay Millar to discuss developments in Katherine, Katherine East Neighbourhood Centre and Katherine Agribusiness Hub and Mitigation. This meeting also included discussion of correspondence from the Mayor to the Minister dated on 12 May 2020.

Meeting with Minister for Tourism, Sport and Culture, Hon Lauren Moss MLA

On 5 June 2020, the Mayor, CEO and XCS met with Minister Moss MLA to discuss the correspondence sent on the 6th May to the Chief Minister in connection with seeking a Government Support to assist with the operational aspects of the Katherine Museum for a period of five years. However, the request was not supported.

CEO has also facilitated a follow up meeting between the Katherine Museum/The Historical Society of Katherine and Minister Moss MLA on 18 June 2020. The purpose of this meeting was to discuss and exchange ideas on developing a Strategic Plan and Business for the Katherine Museum and to provide an opportunity to update the Minister on the

collaborative work between the Katherine Town Council and the Katherine Museum/Historical Society of Katherine Inc.

Meeting with Mr Nino Niceforo

On 10 June 2020, CEO and XIE met with Nino Niceforo of the Niceforo Group to discuss his vision to take over the lease of the Katherine Airport from the Katherine Town Council. CEO advised him to provide a presentation to Elected Members at the EMIS scheduled on 22 June 2020. Mr Niceforo accepted this advice.

OFFICER TITLE ABBREVIATIONS

CEO	:	Chief Executive Officer
A/CEO	:	Acting Chief Executive Officer
COO	:	Chief Operating Officer
XCS	:	Executive Manager Community Services
XIE	:	Executive Manager Infrastructure and Environment
MCERS	:	Manager Compliance Environment & Regulatory Services
MIE	:	Manager Infrastructure & Environment
PM	:	Project Manager
MCFAS	:	Manager Customer Finance Administration Services
MVIC	:	Manager Visitor Information Centre
CO	:	Communications Officer
EA	:	Executive Assistant
CLO	:	Community Liaison Officer
SO	:	Sustainability Officer
GO	:	Governance Officer

Staff Statistics – May (2019-2020 Financial Year.)

2020	Number of Permanent Employees	Total Hours Used	Total Days Lost	Total days lost per person
Executive				
Sick/Family leave hours used	2	0	0	0
Governance - Civic				
Sick/Family leave hours used	6	11.8	1.55	0.25
Corporate and Community - Civic Centre				
Sick/Family leave hours used	8	0	5.02	0.63
Corporate & Community Services - Visitor Information Centre				
Sick/Family leave hours used	4	12.1	1.59	0.39
Corporate & Community Services - Library				
Sick/Family leave hours used	4	7.5	0.98	0.24
Infrastructure & Environment - Civic				
Sick/Family leave hours used	6	60.35	7.94	1.32
Infrastructure & Environment - Depot				
Sick/Family leave hours used	15	137	18.02	1.20
Infrastructure & Environment - Inspectorate				
Sick/Family leave hours used	2	0	0	0
Infrastructure & Environment - Waste Management Facility				
Sick/Family leave hours used	6	110	14.52	2.42
TOTALS	53	388	49.62	6.45

Addressing Queries from Mayor and Elected Members

7

The purpose of this section is to provide updates to the Council in relation to important matters that have been raised during the Ordinary meeting of Council. Attached is the list of actions/responses towards Council for the period of March – May 2020.

REQUESTS FROM ELECTED MEMBERS				
AT THE ORDINARY/SPECIAL MEETINGS OF COUNCIL (MARCH – MAY 2020)				
Requestor/Initiator	Items	Responsible Officer	Action	Status Date Meeting
Her Worship Mayor Miller	<ul style="list-style-type: none"> In relation to agreement that has been reached by Shine Lawyers. It is proposed that: Council send a letter to managing partner of Shine Lawyers and request that the Council to be provided with a copy of Shine Lawyer's retaining agreement. Council provides a copy of the written advice provided by the council to Shine Lawyers in relation to liability. Council provides a copy of instruction to Shine Lawyers from the Katherine Town Council. 	CEO/COO	<ul style="list-style-type: none"> A Letter from KTC requesting clarity was sent to Shine Lawyers on 14 April 2020. A Meeting with Shine Lawyers was conducted on 24 April 2020 Representatives from Shine Lawyers are: <ol style="list-style-type: none"> Tristan Gaven, Senior Associate. Joshua Aylward, Practice Leader for Class Action PFAS Report was presented before the council on 28 April 2020. Group Member Registration Form, Katherine PFAS Class Action was sent on 5th May 2020 with the list of KTC properties. 	In progress 24-Mar-20
	To update draft letter to Paul Burke – NT Farmers Association Inc regarding the Development of the Cotton Industry in the NT	Mayor	Support letter has been updated and forwarded to Paul Burke - CEO NT Farmers Association Inc. on 12 May 2020	Completed 28-Apr-20

Deputy Mayor Gazey	To find more information about the water usage of the Cotton Gin Industry in Katherine Region	CEO	Information session on the development of Cotton and Hemp Industry in the NT was conducted on 11 May 2020 with presenters from NT Farmers Association Inc	Completed	28-Apr-20
	Follow up on the contractors on building CEO's fence	CEO	Manager Grounds & Maintenance has been instructed to undertake the works	Completed	
	Follow up to find more information about the length of peppercorn lease and ways to overcome nuisance issue in the landfill site.	CEO	Sustainability Officer has provided update.	In progress	
	The transfer station to be located in the landfill site – what happens if there is flood?	CEO	Sustainability Officer has provided update	In progress	
	Further discussion with Menzies School of Research in relation to ADU's and suitable location for the installation of the machine	CEO	<ul style="list-style-type: none"> EA has acknowledged the email and requested a meeting with CEO and Deputy Mayor Gazey. Menzies School of Research Representative informed that the matter will be further discussed after the completion of the grant. 	In progress	
	Ensure the quality of audio for Livestreaming	XCS	The audio quality is good as seen at the recorded video	Completed	
	To update the recipient's contact details of the regional flexible grant agreement to new EA	XCS	Recipient contact details for regional flexible grant agreement has been updated	Completed	

	Update on CCTV Agreement: - Update the name of licensor to Katherine Town Council - Typo on 34 hours of CCTV operation	XCS	Updated	Completed	
	#1 & #1b and #2 #2b, why not in #1b and be covered on the same lease? (Refer to KCA sublease - Lease for Viva Energy Aviation Pty Ltd)	XIE	Lease #2b is located near the area because its going to be used to refuel the plane/aircraft on lease #2	Completed	26-May-20
	Can we see the report of the requests coming in and have been dealt? To get more feedback from the community?	CEO	Report on the requests coming and completed are provided at Ordinary Council Meeting in June	Completed	26-May-20
	To update information in relation to the resuming of parks/garden	XCS	<ul style="list-style-type: none"> Update resuming of parks and facility if following the guidelines from the NT Govt. KTC website provides section that public can access to find out the latest news. Media releases on resuming parks/facilities were made available through KTC website and social media 	Completed	28-Apr-20
Alderman Clark	Follow up on the process of renaming Dog Park in Lockheed Reserve in honour of Andrew Wilson (deceased KTC long term staff member)	CEO	<ul style="list-style-type: none"> Manager Grounds & Maintenance is preparing for the survey EA to prepare for all relevant documents for application. 	In progress	
	Follow up on planting Cottonwood in the Dog Park in Lockheed Reserve ASAP	CEO	Relevant Officer is working on this. This is an ongoing project	The tree is being watered and nurtured by Alison Jacks until ready to be planted in the park.	
	Page 66 (agenda) – Council staff reinstated the liberty swing within the Adventure Play Park. Why it was reinstated?	XIE	<ul style="list-style-type: none"> MIE advised that KTC has reinstated the liberty swing the gate is still chained shut. Works are on progress 	In progress	26-May-20

	Why we do not have any figure on Weeds Spraying on April Report?	XIE	<ul style="list-style-type: none"> ▪ The report is from the activities of the Inspectorate and the Rangers are no longer involved in the management of noxious weeds. The report will be amended into the future. ▪ All noxious weed spraying activities will be in the infrastructure report to Council. ▪ Infrastructure is looking at ways of reporting weed spraying in their monthly report 	26-May-20
Alderman Hurley	To update self-photograph on Municipal Plan	XCS	New photograph of Alderman Hurley has been taken by Community Support Officer on 13 May 2020	28-Apr-20
Alderman Raynor	To find out the reason some people were unable to download agenda from KTC website	XCS	<ul style="list-style-type: none"> ▪ Reason: Access from NTG PC are occurring on our website due to their firewall. ▪ The size of the document may also affect some people from not being able to download it on the phone/iPad/tablets ▪ KTC has been in discussions with website developers and Emerge IT Support to fix the problem 	28-Apr-20
	To change report from community representative on the agenda	CEO	This section is providing opportunity to all Elected Members to inform public their official engagements over the past month	Completed
	To follow up a meeting with Defence specially to seek for clarification in relation to Tindal rail link	CEO	A meeting with RAAF Base Tindal was conducted on 4 May 2020.	Completed

Alderman Tapp-Coutts	To follow up on Master Plan of Airport	CEO	The relevant officer is working on this matter.	Included in next year's budget.	24-Mar-20
	To follow up and progress relocation of Katherine Locomotive Project	EA	<ul style="list-style-type: none"> ▪ KTC has been in closed communication with DIPL, National Trust NT & Katherine and Friends of North Railway Association <p>A meeting was conducted on the 14 of May to organise the new timeline of the project.</p>	In progress	
	To clean and maintain Sabu Sing Monument	CEO	<ul style="list-style-type: none"> ▪ MIE has cleaned the horse statue. ▪ There will be works to apply mulch area, bench and lights as part of the CBD Beautification Project under the agreement with the Department of Chief Minister. ▪ This project will also involve young people. 	In progress	
	To activate the monthly newsletter	XCS	<ul style="list-style-type: none"> ▪ Communication and Engagement Officer is working on this. 	Completed	
	To progress Single Use of Plastic Policy	XCS	Community Consultation guidelines has been drafted.	In progress	
	To upgrade the microphone in Chamber	COO	<ul style="list-style-type: none"> ▪ \$5000 has been added in the budget. <p>Admin Manager has been in discussion with eMerge IT Solution to check mics system used by Alice Springs Town Council.</p>	In progress	

Alderman Zelley	Given that there are some who do not have Facebook and therefore cannot read our notices, is there another way/s in which they can receive our messages?	XCS	<ul style="list-style-type: none"> ▪ Yes, on Website. Recorded video of Ordinary Council Meeting can be found on KTC website 	Completed	28-Apr-20
	To follow up on the Everything Katherine App	XCS	App is now available on Android – waiting for Apple to approve – relevant officer is working on this.	In progress	
	To ensure that the works of Casuarina foot path is in line with the contract	XCS	<ul style="list-style-type: none"> ▪ There is only one drawing for the Casuarina Street Footpath which was issued to the contractors. ▪ Information on T20-01A – Casuarina Street, Katherine Footpath, Project Casuarina Footpath has just been forwarded to all Elected members. 	Completed	

Service Requests Received

Council received 103 service requests for the month of May 2020.

Environment		Buildings/Facilities		Roads/Traffic/Parking		Inspectorate		Other Requests	
Wheelie Bins	18	Waste Management Transfer Station		Licence/Permits – Road Events		Abandoned Vehicle		Equipment Hire – Collars, Cages etc	
Other Bins		Civic Centre		Carparks	1	Animal – Other	12	Streetlights	3
Domestic Rubbish Collection	3	Public Toilets		Road Opening/Closing (Telstra, Aurora etc)		Animal at Large	16	Cemetery / Burial Records	2
Litter		Showgrounds		Road Opening/Closing – Footpath/Driveways		Animal Cruelty	2	Risk Management – Accidents – General	
Hazardous Waste Disposal		Katherine East Community Centre		Street Signs	1	Animals – Lost and Found	10	General Requests – Complaints	
Mowing of Verges-Ovals Nature Strips-Ovals		Airport		Street – Road Cleaning		Animal Attack	7	Miscellaneous Requests	7
Street and Other Lighting	3	Visitor Information Centre		Permit to Work Within NT Government Road Reserve Driveways		Animal Menace		Plaques and Headstones	1
Sprinklers and Watering	2	Parks & Cenotaph	1			Animal Nuisance		Ombudsman Complaints	
General		BMX		Road Maintenance	2	Miscellaneous		Community – Festival or Events	
Weeds	1	Lindsey Street Complex		Footpaths		Parking Control	1	Alcohol Permit	
Trees & Vegetation	3	Sportsground	2	Line Marking/Pavement Management		Unauthorised Camping		Planning and Development	
Bores and Water Readings		General		Traffic Management		Overgrown/Unkempt Land	2	Vandalism	
Waste Management Facilities		Swimming Pool		Planning and Development		Dog Licence		Sign Request	
Illegal Dumping	1	Playgrounds and Equipment	1	Laneways		After Hours Callout			
		Skate Park		Road Access		Public Health Risk Activities			
		Hot Springs		Drains	1	Dangerous Animals			
Total	31	Total	4	Total	5	Total	50	Total	13

Service Requests Completed

Council completed 66 requests for the month September May. 37 are awaiting resolution.

Environment		Buildings/Facilities		Roads/Traffic/Parking		Inspectorate		Other Requests	
Wheelie Bins	18	Waste Management Transfer Station		Licence/Permits – Road Events		Abandoned Vehicle		Equipment Hire – Collars, Cages Etc	
Other Bins		Civic Centre		Carparks		Animal – Other	9	Street Lighting	1
Domestic Rubbish Collection	3	Public Toilets		Road Opening/Closing (Telstra, Aurora etc)		Animal at Large	9	Cemetery / Burial Records	1
Litter		Showgrounds		Road Opening/Closing – Footpath/Driveways		Animal Cruelty	1	Risk Management – Accidents – General	
Hazardous Waste Disposal		Katherine East Community Centre		Street Signs		Animals – Lost and Found	6	General Requests – Complaints	
Mowing of Verges-Nature Strips-Ovals		Airport		Street – Road Cleaning		Animal Attack	3	Disabled Parking Permits	
Street and Other Lighting	1	Visitor Information Centre		Permit to Work Within NT Government Road Reserve		Animal Menace		Plaques and Headstones	1
Sprinklers and Watering	2	Parks & Cenotaph	1	Driveways		Animal Nuisance		Ombudsman Complaints	
General		BMX		Road Maintenance	2	Miscellaneous		Community – Festival or Events	
Weeds		Lindsey Street Complex		Footpaths		Parking Control	1	Alcohol Permit	
Trees & Vegetation	1	Sportsground	1	Line Marking/Pavement Management		Unauthorised Camping		Planning and Development	
Bores and Water Readings		General		Traffic Management		Overgrown/Unkempt Land	2	Planning and Development	
Waste Management Facilities		Swimming Pool		Planning and Development		Dog Licence		Sign Request	
Illegal Dumping		Playgrounds and Equipment	1	Laneways		After Hours Callout		Miscellaneous Requests	2
		Skate Park		Bike Paths		Public Health Risk Activities			
		Hot Springs		Drains		Dangerous Animals			
Total	25	Total	3	Total	2	Total	31	Total	5

OFFICER RECOMMENDATION

That it be recommended to Council to:

1. Formally receive and note the Chief Executive Officer Report for the Month of May 2020.

A handwritten signature in black ink, appearing to be 'Ian Bodill', written over the printed name.

Ian Bodill
CHIEF EXECUTIVE OFFICER

KATHERINE TOWN COUNCIL



REPORT

NO	:	13.2
FOLDER	:	LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING/REPORTS TO COUNCIL/FINANCIAL REPORT
MEETING	:	ORDINARY COUNCIL MEETING – 23 JUNE 2020
REPORT TITLE	:	MONTHLY FINANCIAL REPORT – MAY 2020
AUTHOR	:	DONNA JONES – FINANCE MANAGER
ATTACHMENT/S	:	1. FINANCIAL REPORT EXECUTIVE SUMMARY 2. STATEMENT OF BUDGET COMPARISON 3. CASH AND INVESTMENT REPORT

PURPOSE OF REPORT

To receive and note the monthly financial report prepared by the Corporate Services Team.

BACKGROUND

The Local Government (Accounting) Regulations 18 states:

- (1) *The CEO must, in each month, lay before a meeting of the council a report, in a form approved by the council, setting out:*
 - (a) *the actual income and expenditure of the council for the period from the commencement of the financial year up to the end of the previous month;*
 - (b) *the forecast income and expenditure for the whole of the financial year.*
- (2) *The report must include:*
 - (a) *details of all cash and investments held by the council (including money held in trust);*
 - (b) *a statement on the debts owed to the council including the aggregate amount owed under each category with a general indication of the age of the debts; and*
 - (c) *other information required by the council.*
- (3) *If a council does not hold a meeting in a particular month, the report is to be laid before the council committee performing the council's financial functions for the particular month.*

Please Note:

Covid 19 Restrictions continue to change the NT economy which is reflected in our May Income and Expenses. With restrictions being lifted we have seen an increase in the next month of Season Hires re-commencing.

KATHERINE TOWN COUNCIL REPORT



OFFICER RECOMMENDATION

That it be recommended to Council to:

1. That Council endorse the Financial Report for the month of May 2020.

Ian Bodill
CHIEF EXECUTIVE OFFICER

KATHERINE TOWN COUNCIL

STATEMENT OF BUDGET ESTIMATE COMPARISON

As at 31 May 2020

	Original Budget	Budget Reviews	Revised Budget	Monthly Actual	YTD Actual	End of Year Forecast
INCOME						
Rates and annual charges	9,049,505	-	9,049,505	764	9,132,813	9,249,505
Statutory charges	34,340	-	34,340	5,141	48,850	58,641
User charges	1,673,861	-	1,673,861	81,035	1,292,001	1,348,861
Grants, subsidies and contributions	2,260,097	-	2,260,097	750,195	2,051,458	2,169,097
Interest	355,102	-	355,102	70,753	353,377	403,377
Reimbursements	81,988	-	81,988	12,707	144,751	132,044
Other income	3,500	220,905	224,405	-	220,906	224,405
Total operating income	13,458,393	220,905	13,679,298	919,067	13,244,156	13,585,930
EXPENDITURE						
Employee costs	5,061,330	-	5,061,330	317,339	3,914,428	5,061,330
Materials, contracts and other expenses	5,622,998	1,434,473	7,057,471	238,129	4,150,575	7,057,471
Total Operating Expenses	10,684,328	1,434,473	12,118,801	555,468	8,065,003	12,118,801
Operating surplus/(deficit) before depreciation	2,774,065	-	1,560,497	363,599	5,179,153	1,467,129
Operating surplus/(deficit) before capital items	2,774,065	-	1,560,497	363,599	5,179,153	1,467,129
Net gain (loss) on disposal of assets	-	-	100,000	-	-	100,000
Net operating surplus/(deficit)	2,674,065	-	1,460,497	363,599	5,179,153	1,367,129

Disposal of Asset to be updated in June Report

KATHERINE TOWN COUNCIL

CAPITAL INCOME & EXPENDITURE

As at 31 May 2020

	Original Budget	Budget Reviews	Revised Budget	Monthly Actual	YTD Actual	End of Year Forecast
Sources of capital funding expended						
General revenue used for capital purposes	2,742,873	716,000	3,458,873	662,801	1,029,578	3,458,873
Other capital revenue sources:						
Proceeds from sale of capital assets		-	-	-	-	-
Grants and subsidies	568,155		568,155	37,995	37,995	568,155
Grants and Subsidies C/F 2018/2019		3,904,381	3,904,381			3,904,381
Transfers from Reserves	13,613,083		13,613,083		3,203,795	13,613,083
Total capital funding	16,924,111	4,620,381	21,544,492	624,806	4,195,378	21,544,492
Application of capital funding						
Non current capital assets:						
Buildings and other structures						
Brought forward	734,220	1,889,982	2,624,202	10,723	28,678	2,624,202
Plant and machinery	419,000	152,220	152,220		6,729	152,220
Brought forward		90,000	509,000		279,363	509,000
Improvements						
Brought forward	3,405,196	1,313,522	4,718,718	316,161	2,379,017	4,718,718
Infrastructure assets	10,073,937		10,073,937		708,386	10,073,937
Brought forward	2,244,539	839,623	1,404,916	295,162	676,859	1,404,916
Furniture and equipment		2,000,280	2,000,280		6,818	2,000,280
Brought forward	47,219	14,000	61,219	2,760	109,529	61,219
Total current capital expenditure	6,850,174	2,467,881	9,318,055	624,806	3,473,446	9,318,055
Total brought forward amounts	10,073,937	2,152,500	12,226,437	-	721,932	12,226,437
Grand total capital expenditure	16,924,111	4,620,381	21,544,492	624,806	4,195,378	21,544,492

CASH AND INVESTMENTS 31 May 2020

GENERAL FUND

Commonwealth Bank

Balance as per bank statement, 31 May 2020
Plus net outstanding deposits/(withdrawals)
Adjusted cash at bank balance, 31 May 2020

\$
5,659,468
352,544
5,306,924

INVESTMENTS

FINANCIAL INSTITUTION	PRINCIPAL \$	INTEREST RATE %	EFFECTIVE DATE	MATURITY DATE	FINANCIAL INSTITUTION TOTALS \$	FINANCIAL INSTITUTION %
AMP	1,030,771	0.40	on call	on call		
AMP	2,113,434	1.65	18-May-20	16-Nov-20		
AMP	1,066,903	1.40	9-Mar-20	9-Jun-20		
AMP	1,098,304	0.40	on call	on call		
AMP	3,506,605	1.65	20-May-20	18-Nov-20	8,816,017	36.61%
Commonwealth Bank	575,465	0.50	on call	on call		
Commonwealth Bank	1,518,414	0.50	on call	on call	2,093,879	8.69%
Macquarie Group	3,776,457	1.50	17-Mar-20	17-Jun-20		
Macquarie Group	2,458,879	1.60	24-Feb-20	23-Jun-20		
Macquarie Group	3,500,000	1.15	8-May-20	6-Aug-20	9,735,336	40.42%
Westpac Bank	892,421	1.30	9-Mar-20	9-Jun-20		
Westpac Bank	2,546,287	1.53	9-Feb-20	9-Aug-20	3,439,708	14.28%
Total Investments					<u>24,083,940</u>	100.00%
Total Funds					<u>29,390,864</u>	
Allocation of funds						
Capital Budget					20,979,805	
Less YTD Capital					<u>4,195,378</u>	
Internally Restricted Funds						
10/12/2019 council motion						
WMF Renewal Reserve						
Capital & WMF Renewal Reserve				1,712,862		
Tfr from Capital WMF - Air Quality Monitoring System				4,750,000		
28/04/2020 council motion				-250,000	5,212,862	
10/12/2019 council motion						
Capital Renewal Reserve						
Emungalan Road Bridge -				2,962,775		
24/03/2020 council motion				700,000		
Turtle Shade (Hot Springs) -				59,000		
28/04/2020 council motion				58,194		
Showgrounds Electrical -				90,000		
Transfer from Capital Renewal Reserve to Sportsground Oval Lights -						
28/04/2020 council motion						
Transfer from Capital Renewal Reserve for Adventure Play Park - Shade structure -				72,142		
5/06/2020 council motion						
Transfer from Capital Renewal Reserve for Showgrounds Civil works -				61,179	1,912,260	
05/06/2020 council motion						
Elections						
10/12/2019 council motion					100,000	
10/12/2019 council motion					1,000,000	
Contingency Reserves						
Provision for Employee Entitlements and Other Liabilities					537,210	
10/12/2019 council motion					<u>26,646,759</u>	
Unrestricted funds						
					<u>2,744,105</u>	
					<u>\$ 29,390,864</u>	

DEBTORS REPORT

31 May 2020

Category	Current \$	30+ days \$	60+ days \$	90+ days \$	TOTAL \$
Sundry	94,663	5,901	7,864	118,237	226,665
Weighbridge	34,301	18,195	230	17,425	70,151
Total	128,964	24,096	8,094	135,662	296,816
Infringements	Current \$	30+ days \$	60+ days \$	90+ days \$	TOTAL \$
Animal	1,550	-	405	27,198	29,153
Parking	170	-	-	11,535	11,705
Litter	-	-	-	884	884
Camping	-	-	-	483	483
Total					42,225
Rates	Current \$	Arrears incl interest & legal fees			TOTAL \$
	1,031,375	469,400			1,500,775
Grand Total					1,839,816

Financial Report Executive Summary

The following is a summary of the key issues and developments year to date.



On track



Monitoring



Items to note

Summary



The overall operating result to date have remained constant. Budget to forecast will continued to be monitored



Cash Position

Cash position is strong with investment maturing to meet the timelines for the Show Grounds, Sports Ground and CBD Projects. Larger expenses will be required to be paid over next couple of months with projects going forward which will reduce the cash holding position of the Council.

The table below shows the amount of debtors outstanding for the current and the previous month.

Debtors Analysis

The table below shows the amount of debtors outstanding for the current and the previous month. Debtors have shown an overall decrease with rates with 4th installment proceeds being paid prior to EoFY. Sundry Debtors increased with one large invoice being raised. Several accounts have been brought back into line.

	Apr-20	May-20
Rates debtors	1,664,509	1,500,775
Sundry debtors	140,798	226,665
Weighbridge debtors	84,464	70,151
Infringement - Animal	27,969	29,153
Infringement - Parking	11,608	11,705
Infringement - Litter/Camping	1,367	1,367
Total outstanding	1,930,715	1,839,816

Rates Debtors Analysis

The final installment of rates was due for payment 31st March. Weekly payments are being made to bring rates into line prior to FY end with Late Notice letters being issued.

Sundry Debtors Age Analysis

The table below compares age analysis of current, 30 days, 60 days, 90 days and 120 days for the month of May 2020.

	Apr-20	May-20
Current	13,743	94,663
Over 30 days	6,575	5,901
Over 60 days	51,111	7,864
Over 90 days	69,369	118,237
Over 120 days		
Total	140,798	226,665

Sundry Debtors have increased with an invoice for \$69k being raised this month and not yet paid. The over 90 days has seen a large increase with invoice for \$45k stepping up into >90 days not paid for reimbursement of overcharged bill.

Weighbridge Debtors Age Analysis

The table below compares age analysis of current, 30 days, 60 days, 90 days and 120 days for the month of May 2020.

	Apr-20	May-20
Current	32,634	34,301
Over 30 days	30,314	18,195
Over 60 days	3,956	230
Over 90 days	17,560	17,425
Over 120 days		
Total	84,464	70,151

Weighbridge debtors has decreased for a second month in a row with letters to advise Legal Action will be taken for overdue accounts.

KATHERINE TOWN COUNCIL



REPORT

NO : 13.3
FOLDER : LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING
MEETING : ORDINARY COUNCIL MEETING – (23/06/2020)
REPORT TITLE : PUBLIC ORDER AND SAFETY REPORT
AUTHOR : CLAIRE JOHANSSON, CHIEF OPERATIONS OFFICER
ATTACHMENT/S : NIL

PURPOSE OF REPORT

To present the Public Order and Safety Report for the month of May 2020.

BACKGROUND

The 2019/20 municipal plan describes the activities and outcomes for the Council's Public Order and Safety functions. Progress against these outcomes is provided in the table below:

Regulatory Services		
Service Description:	Provide effective management of public order and safety within the municipality compatible with a congenial living environment	
Responsibility	Major Activities	Key Performance Indicators Target Completed
Pound management	Ensure health and safety of animals within the pound including cleaning, feeding and vet checks for animals	Seven days per week daily feeding and cleaning duties undertaken
Community Education	Support the police, other agencies and community with awareness campaigns and operations.	Rangers supported a multi-agency operation led by the police to engage with the community on public order and safety.
Animal management and control	Dog registration audit – rolling audit	To recommence in July
	Binjari Animal Days	Planning underway for 30 June Binjari Animal Day which includes animal welfare, worm/tick control, de-sexing and removal of stray cats and dogs.
Traffic control	Controlled parking audit – rolling audit	<ol style="list-style-type: none"> 1. Parking on First and Second Street audit undertaken. 2. Depot have undertaken responsibility of the ordering and replacement signage. 3. Warning notices issued along First that regulatory enforcement of parking restrictions will recommence. 4. Amendments to parking signs

		to restrict parking to one side of a specific section in Second Street provided and approved.
--	--	---

Animal Statistic in the month of May 2020

Dogs		Cats	
Return to Owner	17	Re-homed	2
Euthanised	2	Euthanised	6
Re-Homed	4		
Still in the Pound	2		
Total	25	Total	8

Jobs attended in the month of May 2020

Animal		Parking		Inspection	
At large	45	Controlled	25	Bore reading	1
Barking	5	Camping	3		
Attack	3	Goods stored	4		
Nuisance	3				
Pound Cleaning	31				
Impound release	41				
Rehoming	5				
Other animals	7				
Total	134	Total	32	Total	1

Mosquito Monitoring		
Service Program Description:	Manage and undertake mosquito monitoring within the Katherine township through trapping and collection of data for the Department of Health's Medical Entomology Unit.	
Responsibility	Major Activities	Key Performance Indicators Target Completed
Carry out routine mosquito trapping activities in accordance with the Department of Health direction	Supply fortnightly samples	100% completed
	Data collection and reporting	100% completed

Routine mosquito monitoring report as at 26 May 2020									
	<i>Ae. (Mac) tremulus</i>	<i>Cx. (Cux) annulirostris</i>		<i>Cx. (Cux) quinquefasciatus</i>		<i>Cx. species</i>		TOTALS	
Trap location	F	F	M	F	M	F	M	F	M
Meatworks	1	0	0	0	0	0	0	1	0
Katherine Sewage Ponds	0	2	0	0	0	0	0	2	0
O'Keefe Residence, Riverbank Dve -	0	17	0	2	0	0	0	19	2
Railway Crossing	0	0	0	0	0	2	0	2	0
TOTALS	1	19	0	2	0	2	0	24	0

Airfield Monitoring		
Service Program Description:	Provide effective monitoring of public order and safety of the airfield.	
Responsibility	Major Activities	Key Performance Indicators Target Completed
Monitor airfield for FOD	Daily airfield reporting and monitoring	100% completed

OFFICER RECOMMENDATION

That it be recommended to Council to:

Formally "note and receive" the Public Order and Safety Report to Council.



Ian Bodill
CHIEF EXECUTIVE OFFICER

KATHERINE TOWN COUNCIL**REPORT**

NO : 13.4

FOLDER : LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING /REPORTS TO COUNCIL/CHIEF OPERATIONS OFFICER

MEETING : ORDINARY COUNCIL MEETING – (23/06/2020)

REPORT TITLE : REVISION OF AUDIT AND RISK MANAGEMENT AUDIT COMMITTEE

AUTHOR : CLIARE JOHANSSON, CHIEF OPERATIONS OFFICER

ATTACHMENT/S : 1. AUDIT COMMITTEE CHARTER AND POLICY V1 WITH MARKED UP CHANGES
2. DRAFT REVISED AUDIT AND RISK MANAGEMENT AUDIT COMMITTEE CHARTER AND POLICY V2

PURPOSE OF REPORT

To present for Council's information and adoption the revised Audit and Risk Management Audit Committee Charter and Policy.

BACKGROUND

In accordance with the Northern Territory Local Government Act Accounting Regulations (Part 5, Section 10 – Internal controls (3) Council is required to establish an Audit Committee as part of their internal control framework. Specifically, the Regulations provide that an Audit Committee is to monitor compliance by Council to:

- Ensure proper standards of financial management; and
- Regulations and the Accounting Standards are met.

In addition to the regulatory requirements it is considered that the scope of the committee should include risk management.

OFFICER RECOMMENDATION

That it be recommended to Council to:

1. Adopt the Audit and Risk Management Committee Charter and Policy Version 2.

Ian Bodill
CHIEF EXECUTIVE OFFICER

AUDIT and RISK
MANAGEMENT COMMITTEE
CHARTER & POLICY

Formatted: Font: 24 pt



TITLE: **AUDIT and RISK MANAGEMENT COMMITTEE CHARTER & POLICY**

Formatted: Indent: Left: 0 cm, Hanging: 2.54 cm

ADOPTED BY: COUNCIL

RESPONSIBILITY: CHIEF EXECUTIVE OFFICER

NEXT REVIEW DATE: ~~26/05/2016~~30/05/2021

Version	Decision Number	Adoption Date	History
1		<u>May 2015</u>	<u>DRAFT</u> <u>INITIAL</u>
2	Include risk management		<u>DRAFT</u>
3			
4			

AUDIT COMMITTEEAUDIT AND RISK MANAGEMENT COMMITTEE
CHARTER & POLICY

AUDIT COMMITTEE AUDIT AND RISK MANAGEMENT COMMITTEE CHARTER & POLICY

1. ~~AUDIT COMMITTEE~~ AUDIT AND RISK MANAGEMENT COMMITTEE CHARTER & POLICY

- 1.1 The ~~Audit Committee~~ Audit and Risk Management Committee Charter & Policy ('Policy') relates to Katherine Town Council (Katherine Town Council)

2. COMMENCEMENT OF POLICY

- 2.1 This Policy will commence from 26/05/2015. It replaces all other policies, if any, relating to ~~Audit Committee~~ Audit and Risk Management Committees (whether written or not).

3. INTRODUCTION

The Northern Territory Local Government Act Accounting Regulations (Part 5, Section 10) requires Council to establish an ~~Audit Committee~~ Audit and Risk Management Committee as part of their internal control framework. ~~Specifically~~ Specifically, the Regulations provide that an ~~Audit Committee~~ Audit and Risk Management Committee is to monitor compliance by Council to:

- Proper standards of financial management; and
- Regulations and the Accounting Standards.

4. ROLE OF THE ~~AUDIT COMMITTEE~~ AUDIT AND RISK MANAGEMENT COMMITTEE

The ~~Audit Committee~~ Audit and Risk Management Committee is an independent advisory body established within Council under the regulations set by the Local Government Act. The ~~Audit Committee~~ Audit and Risk Management Committee provides an important independent role between Council and its management and between Council and its community. The ~~Audit Committee~~ Audit and Risk Management Committee has no authority to act independent of Council and can only act in areas covered by this charter and policy.

The ~~Audit Committee~~ Audit and Risk Management Committee plays a central role in independently reviewing Council's internal control processes and provides Elected Members with a level of assurance on the effectiveness of the Council's financial and corporate governance practices as well as compliance with legislative and regulatory requirements.

The ~~Audit Committee~~ Audit and Risk Management Committee can assist in identifying areas where changes are required to reduce the risk of Council's exposure to fraud or unauthorised transactions. The ~~Audit Committee~~ Audit and Risk Management Committee may also act as a conduit between Council and its auditors to help improve financial reporting, accountability and transparency within Council.

The role of the ~~Audit Committee~~ Audit and Risk Management Committee includes:

- Monitoring the effectiveness of the audit function and the implementation of audit recommendations.
- Providing an independent line of reporting by the auditor to Council.

- Reviewing compliance with legislative requirements, contracts, standards and best practice guidelines
- Reviewing and recommending to Council the annual financial statements.
- Monitoring changes in accounting and reporting requirements.
- Reviewing policies relating to codes of conduct, conflicts of interest, misconduct, fraud and revenue.

5. ~~AUDIT COMMITTEE~~AUDIT AND RISK MANAGEMENT COMMITTEE ROLES AND RESPONSIBILITIES

The ~~Audit Committee~~Audit and Risk Management Committee will play an active role in:

- Developing and maintaining a culture of accountability, transparency and integrity;
- Facilitating the integration of good financial and corporate governance practices into day-to-day business activities and processes;
- Promoting a culture of cost-consciousness, self-assessment and adherence to high ethical standards; and
- Promoting a culture of performance and achievement of outcomes.

6. ~~AUDIT COMMITTEE~~AUDIT AND RISK MANAGEMENT COMMITTEE MEMBERSHIP

Members of the ~~Audit Committee~~Audit and Risk Management Committee are appointed by Council. Ideally the composition of the ~~Audit Committee~~Audit and Risk Management Committee should comprise of a minimum of at least three (3) members. This includes a Chairperson, one (1) independent representative, one (1) Elected Member, Council's Chief Executive Officer and the Director of Corporate & Community Services.

Selection Process

Consideration should be given to the type of skills, personal attributes and practical experience each independent representative must have before being nominated. Factors to consider include:

- Level of understanding of Local Government and Council's operations;
- Level of knowledge and practical exposure on governance and financial management practices;
- Capacity to dedicate adequate time to the committee;
- Depth of knowledge of regulatory and legislative requirements; and
- Ability to maintain professional relationships particularly with Elected Members, staff and other stakeholders.

Refer to Katherine Town Council's Chairperson and Independent Representative responsibilities (Position Descriptions).

7. ~~AUDIT COMMITTEE~~AUDIT AND RISK MANAGEMENT COMMITTEE MEETINGS

The ~~Audit Committee~~Audit and Risk Management Committee will convene a minimum of once in a ~~twelve-month~~twelve-month period. Alternatively, a committee meeting can be convened when Council or the Chairperson so requests. In such situations, a minimum of seven days' notice must be given unless it is an emergency meeting.

The meeting agenda and previous minutes are provided to committee members no less than seven calendar days prior to a scheduled meeting.

Meetings are conducted to allow a full and frank exchange of views while at the same time ensuring that a positive committee culture is maintained. A full set of minutes is to be kept.

In order to provide an even distribution of work over each financial year, the committee will adopt a ~~twelve month~~twelve-month calendar, which includes all scheduled committee meetings.

8. ~~AUDIT COMMITTEE~~AUDIT AND RISK MANAGEMENT COMMITTEE – ATTENDANCE AT MEETINGS AND QUORUMS

Attendance at committee meetings by members can be in person and/or via teleconference (Skype and/or FaceTime) and/or telephone. A quorum consists of no less than 50% of members. ~~Audit Committee~~Audit and Risk Management Committee members should endeavour to attend at least 75% of scheduled meetings.

9. ~~AUDIT COMMITTEE~~AUDIT AND RISK MANAGEMENT COMMITTEE – TERM OF APPOINTMENT AND TERMINATION OF COMMITTEE MEMBERS

All ~~Audit Committee~~Audit and Risk Management Committee members (other than Council staff) are appointed for a ~~two-year~~two-year period. ~~Audit Committee~~Audit and Risk Management Committee members, not being the Chairperson, cease being a member of the committee if they provide, in writing, a letter of resignation. ~~The Chairperson~~The Chairperson is an independent member, who is appointed by Council for a set period and can be terminated by Council subject to the appointment agreement.

10. ~~AUDIT COMMITTEE~~AUDIT AND RISK MANAGEMENT COMMITTEE - CONFLICT OF INTEREST

All committee members have a legal obligation to disclose to the committee, any material personal interest which relates to the business of Council. When an issue arises at a committee meeting, relating to such an interest, the Chairperson will advise the committee member of the following:

- Not attend the meeting while the matter is discussed and that they may not vote on such an issue, unless the non-conflicted members pass a resolution that the member may either remain for the discussion but not vote or remain for the discussion and vote.

The non-conflicted members will only pass such a resolution when they are strongly of the view that the nature of the conflict does not inhibit the conflicted member from ~~making a decision~~deciding in the best interest of Council. Members have an obligation

to disclose to the committee any other interest which the member believes is appropriate to disclose in order to ensure there is no actual or perceived conflict of interest.

11. AUDIT COMMITTEE/AUDIT AND RISK MANAGEMENT COMMITTEE – AUTHORITY/DELEGATION/POWERS/LIMITATIONS

In order to be effective, the Audit Committee/Audit and Risk Management Committee must remain independent from management and free from undue influence from Elected Members and Council staff. The Audit Committee/Audit and Risk Management Committee is an advisory body and members of the Audit Committee/Audit and Risk Management Committee cannot have any executive powers, management functions or delegated financial responsibility. It is important that Elected Members understand that the Audit Committee/Audit and Risk Management Committee is established as an advisory body. It is the responsibility of Council, not the Audit Committee/Audit and Risk Management Committee, to make decisions on how and what action/s will be taken on matters brought to the attention of Elected Members by the Audit Committee/Audit and Risk Management Committee.

12. AUDIT COMMITTEE/AUDIT AND RISK MANAGEMENT COMMITTEE – REPORTING

The Audit Committee/Audit and Risk Management Committee is responsible for reporting back to Council as per the following:

- Working with the Chief Executive Officer to ensure that appropriate strategic direction and goals are in place for the committee.
- Regularly reviewing Council's strategic direction and goals.
- Ensuring that an appropriate set of strategic internal controls are implemented and reviewed regularly.
- Reviewing activities including annual corporate budgets and long-term financial plans including operating budgets, capital expenditure budgets and cash flow budgets
- Reviewing the progress and performance of Council in meeting these plans and corporate objectives, including reporting the outcome of such reviews on at least an annual basis.
- The board complies with its reporting requirements under the relevant legislation and with any funding agreements.
- Regulatory compliance and accuracy in reporting are achieved

13. AUDIT COMMITTEE/AUDIT AND RISK MANAGEMENT COMMITTEE – VOTING RIGHTS

Those individuals who are officially appointed to the Audit Committee/Audit and Risk Management Committee have equal voting rights. Voting by proxy can occur through postal, email or fax received votes. Where a vote is taken/taken, and the result is undecided the Chairperson has the casting vote.

14. AUDIT COMMITTEE/AUDIT AND RISK MANAGEMENT COMMITTEE – REMUNERATION

Council will agree on the remuneration rate and conditions of the independent Chairperson and Independent Representative.

15. AUDIT COMMITTEE/AUDIT AND RISK MANAGEMENT COMMITTEE – SECRETARIAT SUPPORT

Council will ensure the ~~Audit Committee~~Audit and Risk Management Committee members have access to the agenda, meeting papers and prior unapproved minutes no less than seven calendar days prior to a scheduled meeting. Council will provide secretariat support to the ~~Audit Committee~~Audit and Risk Management Committee to ensure minutes and agendas are provided to committee members.

16. ~~Audit Committee~~**Audit and Risk Management Committee** – PERFORMANCE AND REVIEW

Compliance

The ~~Audit Committee~~**Audit and Risk Management Committee** is charged with overseeing, reviewing and ensuring the reliability and effectiveness of Katherine Town Council's compliance systems. As such, compliance is a continuous quality improvement system that is part of a proactive risk management strategy. To carry out its compliance function, the committee commits to the following:

- The Chairperson is responsible to manage the ~~Audit Committee~~**Audit and Risk Management Committee**'s compliance systems and reporting to Council on those systems.
- A Code of Conduct for Council ensures the highest of ethical standards and business behaviours are maintained.
- The committee complies with its reporting requirements under the relevant legislation and with any funding agreements.
- The board views compliance as an integral function and recognises that for the compliance system to succeed it must be championed by the Elected Members and Council management.

Risk Management

Risk management is a critical component of Katherine Town Council. The Chairperson is charged with implementing appropriate risk management systems within the ~~Audit Committee~~**Audit and Risk Management Committee**. The risk management system at Katherine Town Council is based on the Australian Standard, AS/NZS ISO 31000. The primary objectives of the system are to ensure:

- All major sources of potential opportunity for and harm to Katherine Town Council both existing and potential are identified, analysed and treated appropriately;
- Business decisions throughout Katherine Town Council are to appropriately balance the risk and reward trade-off;
- Regulatory compliance and accuracy in reporting are achieved; and
- The Elected Members and staff understand the risk profile of Katherine Town Council.

Internal Controls

The ~~Audit Committee~~**Audit and Risk Management Committee** has a process for review and authorisation to ensure the truthful and factual representation of the organisation's financial position and adherence to policies and procedures. This process includes:

- External audit;
- Internal audit;
- Review of the organisation's annual financial statements by an independent auditor.

Committee Evaluation

Formatted: Indent: Left: 0 cm

The committee recognises its responsibility to conduct regular evaluations of the performance of the committee and individual committee members. Annually, there is a performance evaluation of

- The committee having regard to the requirements of this charter and the leading practice principles of good governance;
- The chairperson; and
- Individual committee member contribution to the committee.

The processes are regularly reviewed to ensure they meet contemporary good practice guidelines for committee assessment.

17. ~~AUDIT COMMITTEE~~**AUDIT AND RISK MANAGEMENT COMMITTEE** – CHARTER REVIEW AND AMENDMENTS

This charter and policy will be endorsed by Council. The charter and policy will be reviewed every twelve months or as deemed necessary by the Elected Members and the Chief Executive Officer.

18. KATHERINE TOWN COUNCIL CONTACT

- 18.1 Any questions about this Policy should be directed to Chief Executive Officer (08) 8972 5500.

VARIATIONS

Katherine Town Council reserves the right to vary, replace or terminate this Policy from time to time.

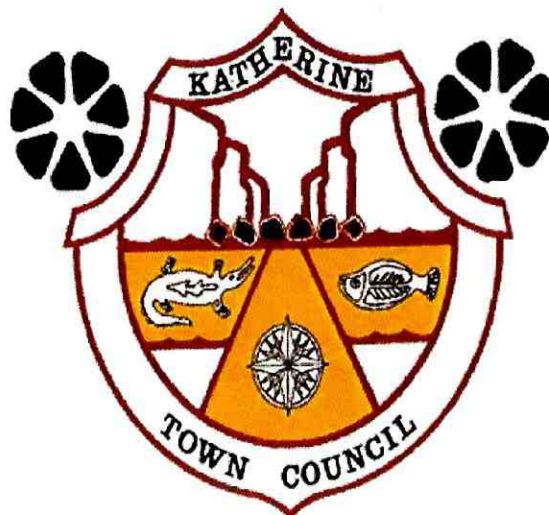
ASSOCIATED DOCUMENTS

- Code of Conduct
- Finance Policy – Fraud Protection
- Finance Policy – Revenue

POLICY VERSION AND REVISION INFORMATION

Policy Authorised by: ~~Robert Jennings~~lan Bodill ~~Revision 1~~Original issue: 23/06/20152020
 Title: Chief Executive Officer
 Policy Maintained by: ~~Alice Anastacio~~Donna Jones Current version: 24
 Title: ~~Corporate Services Executive~~
~~Manager~~Finance Manager
 Review date: 30/05/202116

AUDIT and RISK MANAGEMENT COMMITTEE CHARTER & POLICY



**TITLE: AUDIT and RISK MANAGEMENT COMMITTEE CHARTER
& POLICY**

ADOPTED BY: COUNCIL

RESPONSIBILITY: CHIEF EXECUTIVE OFFICER

NEXT REVIEW DATE: 30/05/2021

Version	Decision Number	Adoption Date	History
1		May 2015	INITIAL
2	Include risk management		DRAFT
3			
4			

AUDIT AND RISK MANAGEMENT COMMITTEE CHARTER & POLICY

1. AUDIT AND RISK MANAGEMENT COMMITTEE CHARTER & POLICY

- 1.1 The Audit and Risk Management Committee Charter & Policy ('Policy') relates to Katherine Town Council ('Katherine Town Council').

2. COMMENCEMENT OF POLICY

- 2.1 This Policy will commence from 26/05/2015. It replaces all other policies, if any, relating to Audit and Risk Management Committees (whether written or not).

3. INTRODUCTION

The Northern Territory Local Government Act Accounting Regulations (Part 5, Section 10) requires Council to establish an Audit and Risk Management Committee as part of their internal control framework. Specifically, the Regulations provide that an Audit and Risk Management Committee is to monitor compliance by Council to:

- Proper standards of financial management; and
- Regulations and the Accounting Standards.

4. ROLE OF THE AUDIT AND RISK MANAGEMENT COMMITTEE

The Audit and Risk Management Committee is an independent advisory body established within Council under the regulations set by the Local Government Act. The Audit and Risk Management Committee provides an important independent role between Council and its management and between Council and its community. The Audit and Risk Management Committee has no authority to act independent of Council and can only act in areas covered by this charter and policy.

The Audit and Risk Management Committee plays a central role in independently reviewing Council's internal control processes and provides Elected Members with a level of assurance on the effectiveness of the Council's financial and corporate governance practices as well as compliance with legislative and regulatory requirements.

The Audit and Risk Management Committee can assist in identifying areas where changes are required to reduce the risk of Council's exposure to fraud or unauthorised transactions. The Audit and Risk Management Committee may also act as a conduit between Council and its auditors to help improve financial reporting, accountability and transparency within Council.

The role of the Audit and Risk Management Committee includes:

- Monitoring the effectiveness of the audit function and the implementation of audit recommendations.
- Providing an independent line of reporting by the auditor to Council.
- Reviewing compliance with legislative requirements, contracts, standards and best practice guidelines.
- Reviewing and recommending to Council the annual financial statements.
- Monitoring changes in accounting and reporting requirements.

- Reviewing policies relating to codes of conduct, conflicts of interest, misconduct, fraud and revenue.

5. AUDIT AND RISK MANAGEMENT COMMITTEE ROLES AND RESPONSIBILITIES

The Audit and Risk Management Committee will play an active role in:

- Developing and maintaining a culture of accountability, transparency and integrity;
- Facilitating the integration of good financial and corporate governance practices into day-to-day business activities and processes;
- Promoting a culture of cost-consciousness, self-assessment and adherence to high ethical standards; and
- Promoting a culture of performance and achievement of outcomes.

6. AUDIT AND RISK MANAGEMENT COMMITTEE MEMBERSHIP

Members of the Audit and Risk Management Committee are appointed by Council. Ideally the composition of the Audit and Risk Management Committee should comprise of a minimum of at least three (3) members. This includes a Chairperson, one (1) independent representative, one (1) Elected Member, Council's Chief Executive Officer and the Director of Corporate & Community Services.

Selection Process

Consideration should be given to the type of skills, personal attributes and practical experience each independent representative must have before being nominated. Factors to consider include:

- Level of understanding of Local Government and Council's operations;
- Level of knowledge and practical exposure on governance and financial management practices;
- Capacity to dedicate adequate time to the committee;
- Depth of knowledge of regulatory and legislative requirements; and
- Ability to maintain professional relationships particularly with Elected Members, staff and other stakeholders.

Refer to Katherine Town Council's Chairperson and Independent Representative responsibilities (Position Descriptions).

7. AUDIT AND RISK MANAGEMENT COMMITTEE MEETINGS

The Audit and Risk Management Committee will convene a minimum of once in a twelve-month period. Alternatively, a committee meeting can be convened when Council or the Chairperson so requests. In such situations, a minimum of seven days' notice must be given unless it is an emergency meeting.

The meeting agenda and previous minutes are provided to committee members no less than seven calendar days prior to a scheduled meeting.

Meetings are conducted to allow a full and frank exchange of views while at the same time ensuring that a positive committee culture is maintained. A full set of minutes is to be kept.

In order to provide an even distribution of work over each financial year, the committee will adopt a twelve-month calendar, which includes all scheduled committee meetings.

8. AUDIT AND RISK MANAGEMENT COMMITTEE – ATTENDANCE AT MEETINGS AND QUORUMS

Attendance at committee meetings by members can be in person and/or via teleconference (Skype and/or FaceTime) and/or telephone. A quorum consists of no less than 50% of members. Audit and Risk Management Committee members should endeavour to attend at least 75% of scheduled meetings.

9. AUDIT AND RISK MANAGEMENT COMMITTEE – TERM OF APPOINTMENT AND TERMINATION OF COMMITTEE MEMBERS

All Audit and Risk Management Committee members (other than Council staff) are appointed for a two-year period. Audit and Risk Management Committee members, not being the Chairperson, cease being a member of the committee if they provide, in writing, a letter of resignation. The Chairperson is an independent member, who is appointed by Council for a set period and can be terminated by Council subject to the appointment agreement.

10. AUDIT AND RISK MANAGEMENT COMMITTEE - CONFLICT OF INTEREST

All committee members have a legal obligation to disclose to the committee, any material personal interest which relates to the business of Council. When an issue arises at a committee meeting, relating to such an interest, the Chairperson will advise the committee member of the following:

- Not attend the meeting while the matter is discussed and that they may not vote on such an issue, unless the non-conflicted members pass a resolution that the member may either remain for the discussion but not vote or remain for the discussion and vote.

The non-conflicted members will only pass such a resolution when they are strongly of the view that the nature of the conflict does not inhibit the conflicted member from deciding in the best interest of Council. Members have an obligation to disclose to the committee any other interest which the member believes is appropriate to disclose in order to ensure there is no actual or perceived conflict of interest.

11. AUDIT AND RISK MANAGEMENT COMMITTEE – AUTHORITY/DELEGATION/POWERS/LIMITATIONS

In order to be effective, the Audit and Risk Management Committee must remain independent from management and free from undue influence from Elected Members and Council staff. The Audit and Risk Management Committee is an advisory body and members of the Audit and Risk Management Committee cannot have any executive powers, management functions or delegated financial responsibility. It is important that Elected Members understand that the Audit and Risk Management Committee is established as an advisory body. It is the responsibility of Council, not the Audit and Risk Management Committee, to make decisions on how and what action/s will be taken on matters brought to the attention of Elected Members by the Audit and Risk Management Committee.

12. AUDIT AND RISK MANAGEMENT COMMITTEE – REPORTING

The Audit and Risk Management Committee is responsible for reporting back to Council as per the following:

- Working with the Chief Executive Officer to ensure that appropriate strategic direction and goals are in place for the committee.
- Regularly reviewing Council's strategic direction and goals.
- Ensuring that an appropriate set of strategic internal controls are implemented and reviewed regularly.
- Reviewing activities including annual corporate budgets and long-term financial plans including operating budgets, capital expenditure budgets and cash flow budgets.
- Reviewing the progress and performance of Council in meeting these plans and corporate objectives, including reporting the outcome of such reviews on at least an annual basis.
- The board complies with its reporting requirements under the relevant legislation and with any funding agreements.
- Regulatory compliance and accuracy in reporting are achieved.

13. AUDIT AND RISK MANAGEMENT COMMITTEE – VOTING RIGHTS

Those individuals who are officially appointed to the Audit and Risk Management Committee have equal voting rights. Voting by proxy can occur through postal, email or fax received votes. Where a vote is taken, and the result is undecided the Chairperson has the casting vote.

14. AUDIT AND RISK MANAGEMENT COMMITTEE - REMUNERATION

Council will agree on the remuneration rate and conditions of the independent Chairperson and Independent Representative.

15. AUDIT AND RISK MANAGEMENT COMMITTEE – SECRETARIAT SUPPORT

Council will ensure the Audit and Risk Management Committee members have access to the agenda, meeting papers and prior unapproved minutes no less than seven calendar days prior to a scheduled meeting. Council will provide secretariat support to the Audit and Risk Management Committee to ensure minutes and agendas are provided to committee members.

16. AUDIT AND RISK MANAGEMENT COMMITTEE – PERFORMANCE AND REVIEW

Compliance

The Audit and Risk Management Committee is charged with overseeing, reviewing and ensuring the reliability and effectiveness of Katherine Town Council's compliance systems. As such, compliance is a continuous quality improvement system that is part of a proactive risk management strategy. To carry out its compliance function, the committee commits to the following:

- The Chairperson is responsible to manage the Audit and Risk Management Committee's compliance systems and reporting to Council on those systems.
- A Code of Conduct for Council ensures the highest of ethical standards and business behaviours are maintained.
- The committee complies with its reporting requirements under the relevant legislation and with any funding agreements.
- The board views compliance as an integral function and recognises that for the compliance system to succeed it must be championed by the Elected Members and Council management.

Risk Management

Risk management is a critical component of Katherine Town Council. The Chairperson is charged with implementing appropriate risk management systems within the Audit and Risk Management Committee. The risk management system at Katherine Town Council is based on the Australian Standard, AS/NZS ISO 31000. The primary objectives of the system are to ensure:

- All major sources of potential opportunity for and harm to Katherine Town Council both existing and potential are identified, analysed and treated appropriately;
- Business decisions throughout Katherine Town Council are to appropriately balance the risk and reward trade-off;
- Regulatory compliance and accuracy in reporting are achieved; and
- The Elected Members and staff understand the risk profile of Katherine Town Council.

Internal Controls

The Audit and Risk Management Committee has a process for review and authorisation to ensure the truthful and factual representation of the organisation's financial position and adherence to policies and procedures. This process includes:

- External audit;
- Internal audit;
- Review of the organisation's annual financial statements by an independent auditor.

Committee Evaluation

The committee recognises its responsibility to conduct regular evaluations of the performance of the committee and individual committee members. Annually, there is a performance evaluation of:

- The committee having regard to the requirements of this charter and the leading practice principles of good governance;
- The chairperson; and
- Individual committee member contribution to the committee.

The processes are regularly reviewed to ensure they meet contemporary good practice guidelines for committee assessment.

17. AUDIT AND RISK MANAGEMENT COMMITTEE – CHARTER REVIEW AND AMENDMENTS

This charter and policy will be endorsed by Council. The charter and policy will be reviewed every twelve months or as deemed necessary by the Elected Members and the Chief Executive Officer.

18. KATHERINE TOWN COUNCIL CONTACT

- 18.1 Any questions about this Policy should be directed to Chief Executive Officer (08) 8972 5500.

VARIATIONS

Katherine Town Council reserves the right to vary, replace or terminate this Policy from time to time.

ASSOCIATED DOCUMENTS

- Code of Conduct
- Finance Policy – Fraud Protection
- Finance Policy – Revenue

POLICY VERSION AND REVISION INFORMATION

Policy Authorised by: Ian Bodill

Revision 1: 23/06/2020

Title: Chief Executive Officer

Policy Maintained by: Donna Jones

Current version: 2

Title: Finance Manager

Review date: 30/05/2021

KATHERINE TOWN COUNCIL



REPORT

NO : 13.5

FOLDER : LOCAL GOVERNANCE / ORDINARY COUNCIL MEETING / REPORTS TO COUNCIL / COMMUNITY SERVICES

MEETING : ORDINARY COUNCIL MEETING – 23/06/2020

REPORT TITLE : MONTHLY REPORT OF THE COMMUNITY SERVICES DEPARTMENT MAY - 2020

AUTHOR : ROSEMARY JENNINGS, EXECUTIVE MANAGER COMMUNITY SERVICES

ATTACHMENT/S : NIL

PURPOSE OF REPORT

To present the Report for the Community Services department for the month of May 2020.

BACKGROUND

The Community Service department continue to experience significant disruptions in service delivery during the month of May due to restrictions put in place by NT and Federal Government.

With the easing of restrictions in Stage 1 (1 May), Stage 2 (15 May) and Stage 3 (5 June) the Community Services department has been able to gradually reintroduce services across all areas.

COMMUNICATIONS & ENGAGEMENT***Live Local, Love local***

Katherine Town Council has continued the Live Local, Love Local Campaign for an additional four (4) weeks. The campaign continues to encourage community members to support local business, particularly during the current COVID-19 pandemic.

The campaign has been extended to 30 June 2020 with a \$200 voucher drawn weekly for use at any participating business of the winners choosing.

Through the duration of the campaign, 220 entries have been received, totalling to a \$23,307.19 spend.

Everything Katherine App

The extension of the Live Local, Love Local campaign has been further boosted by the launch of the *Everything Katherine App*. The *Everything Katherine* app aims to provide a central point for locals and visitors alike to get comprehensive information around services available in Katherine along with information related to health, travel and access to general Council information such as payment information, events, grants and latest news.

The *Everything Katherine App* is a free service for registered Katherine businesses and is available to download for free in both the Apple and Google Play stores. Council currently has 68 business currently participating in the app with further business participation anticipated.

Katherine Town Council will continue to review the relevance of the app and amend at the community's needs develop.

Since the official launch of the app on 9 June 2020 the app has been downloaded 118 times. Council staff are working to increase the visibility of the app to the community to encourage further downloads and engagement.

KATHERINE PUBLIC LIBRARY

The month of May has seen some great progression for the Library, with the Library reopening on the Wednesday the 20th May following the COVID-19 closures from NT Government. A great deal of planning has been going on behind closed doors, to ensure all services abide by the social distancing and hygiene measures.

On the 15th of May, stage 2 of the "Roadmap to the New Normal" was in progress and plans to reopen were in motion. Prior to reopening, a COVID-19 Safety Checklist was completed, and staff meetings were held to discuss how to ensure patrons can socially distance and what extra hygiene measure would be instilled for staff.

Circles, marking the 1.5M distancing, were placed around the front counter, computers available were halved and hand sanitizing stations were placed at entry ways, front counter and other places around the library. On Wednesday the 20th, the Library reopened its doors to the public.

Displays

Once the Library reopened, staff were straight back into planning our displays with a "New Books" display involving a signage that is hung above our new book stand. We will continue with this display for a few months whilst a variety of new books come into our Library.

Children's Programs

During the closure of the Library, a large review of the programs took place and the programs have seen a growth in developmental outcomes being strategically placed in the PowerPoints. This is to understand that the programs we provide, are not only for entertainment purposes but to provide parents reassurance that reading, singing and dancing benefits their children in many ways. We will see these changes take hold when the programs recommence, on the 9th of June.



Seniors Digital Literacy

Whilst no official program sessions have been held since reopening, one-on-one sessions have been available for patrons seeking technology assistance. This has included assistance for seniors with laptops and phone use which increase the capacity of our elderly residents to remain connected to family and friends.

Library staff all understand how this program really benefits those in-need of this help and hope to continue to provide this service.

Developments

The children's area has seen the completion of the chalk board with planning still in progress to install the Duplo boards. This has been halted due to nationwide shortages on stock.

Prior to reopening, contractors completed the new LED lighting throughout the Library as well as re-carpeting the entire Library area. During this time, staff packed up the entire Library an

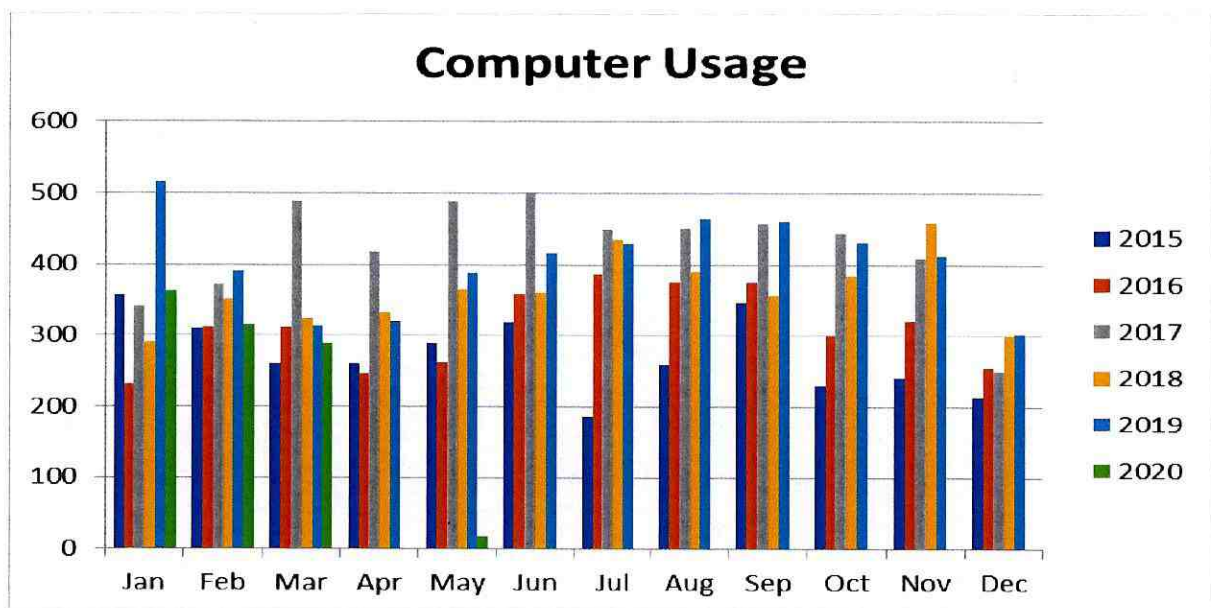
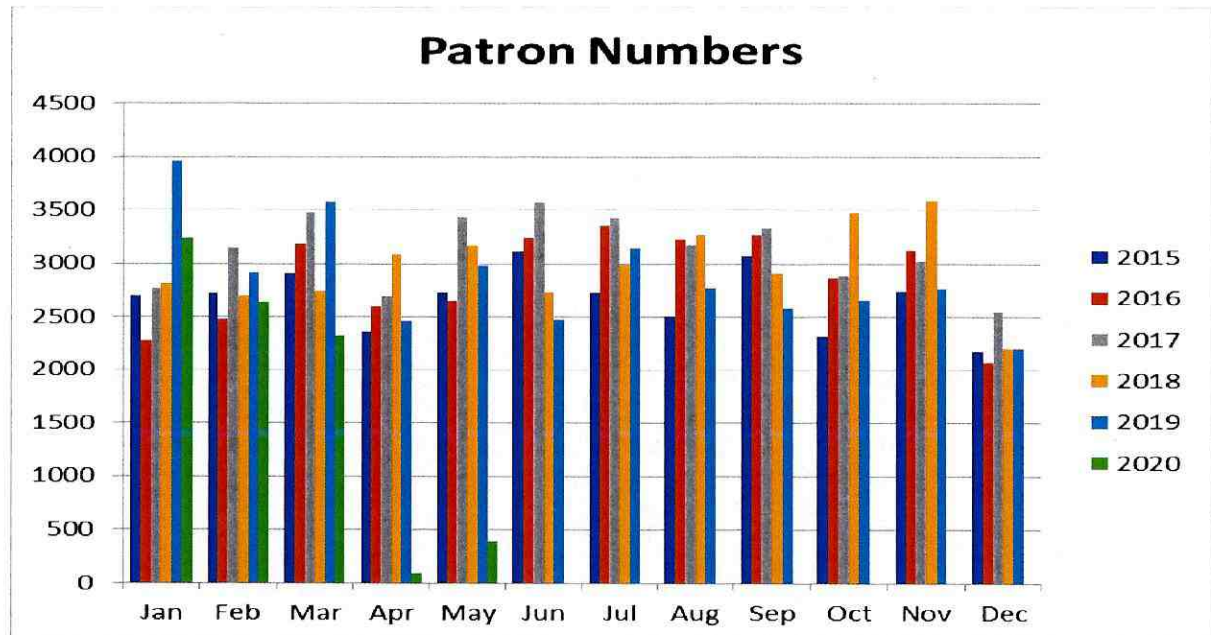
KATHERINE TOWN COUNCIL



REPORT

commenced working from home for the week with admin work. Toilets are still not available to the public, with renovations continuing and an unknown end-date.

Staff have spent a good amount of time, reorganizing the staff room to make the area a more clean and organized room, suitable for all staff.



KATHERINE VISITOR INFORMATION CENTRE

With lifting restrictions in the Northern Territory and under the stages to the new normal, the Katherine Visitor Information Centre re-opened to the public on the 6th of May 2020.

The KVIC has lodged the required COVID-19 Safety Plan by filling out the relevant NT Government checklists and successfully demonstrated the commitment to manage safety responsibilities around COVID-19.

Due to biosecurity zones still in place and limited travel options through the NT, the KVIC staff provided mainly customer service via phone and email. We have answered 163 phone calls and a total of 56 emails with customer enquiries.

The KVIC Team has continued to:

- Reorganize the brochure storage system for easier orientation and access.
- Update "handouts" with local services,
- Update Tourism Top End's Membership list and operator details on booking console,
- Entered and updated data for marketing purposes

We have adjusted our marketing campaign to Explore. Connect. Experience. *Your backyard.* to target Intra-Territory market via social media advertising. Additionally, we have arranged social media influencer Abbey Holmes to place advertising on her pages which increased KVIC's branding awareness, engagement and followers.

Furthermore, we have continued to support local tourism operators with technical, digital and social media one on one trainings. Through website audits we determined possible improvements and helped to implement.

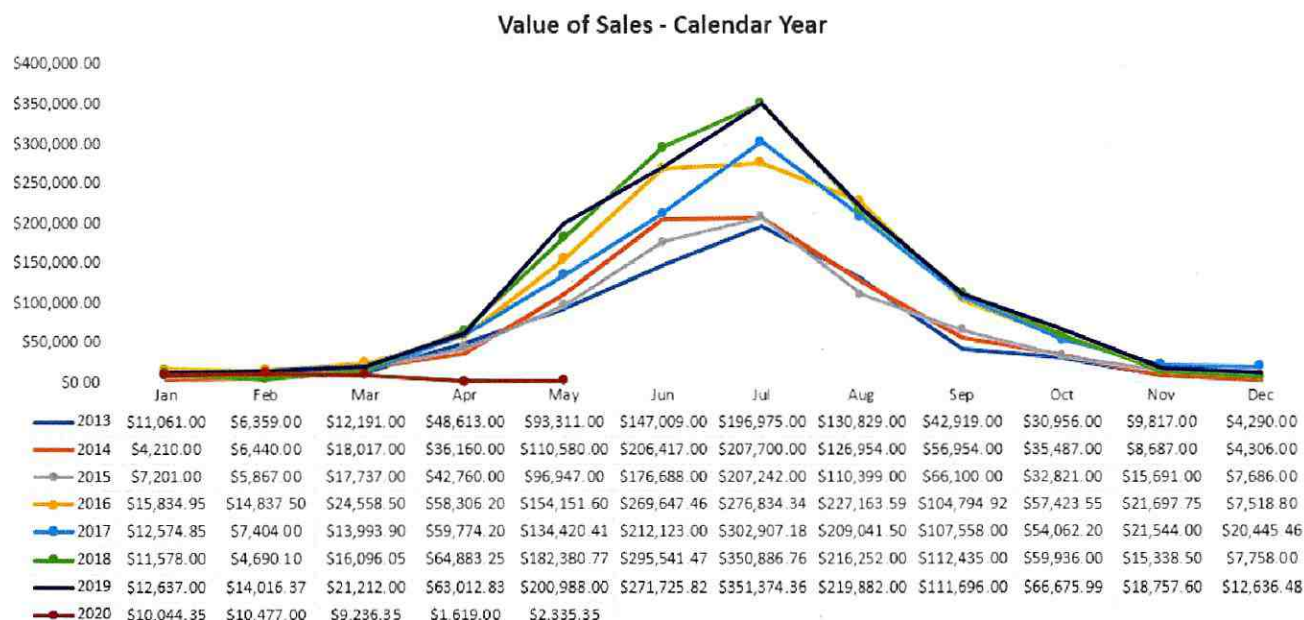
Analysis/Comment

Total sales for May 2020 were \$2,335.35, a decrease of 98.84% on May 2019. All sales were made through our front desk.

Note*: All tour operators closed their product availability via Tourism Top End's and KVIC's booking console to unbookable. However, most Accommodation remaining open and bookable. Therefore, the KVIC is taking bookings for accommodation.

Walk-in visitor number total for May 2020 was 216, a decrease of 98.09% on May 2019.

An average sale per visitor for May 2020 was \$10.24, compared to last year's average of \$17.79 per visitor. A 42.44% decrease per visitor.

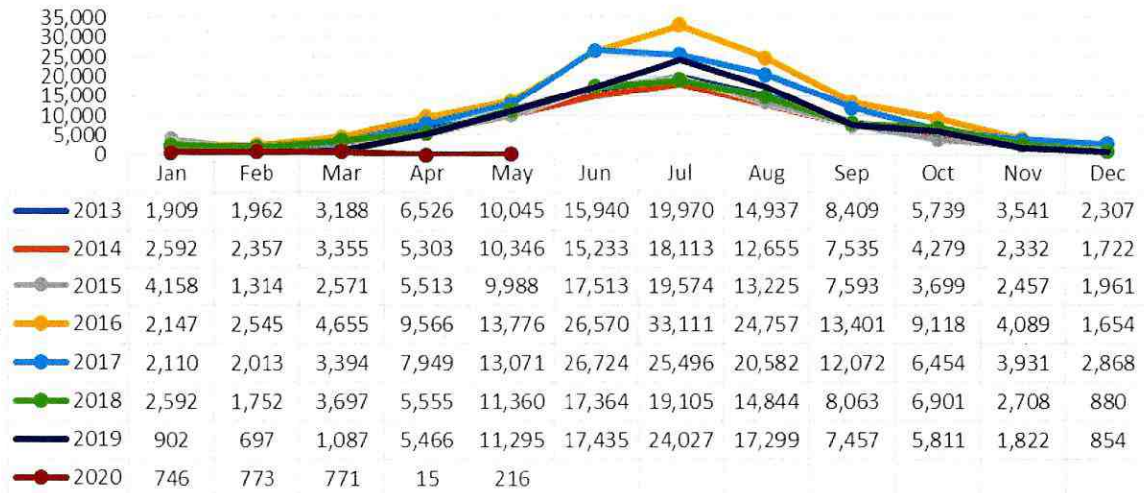


KATHERINE TOWN COUNCIL



REPORT

Number of Visitors - Calendar Year



Average Sales Per Visitor

**OFFICER RECOMMENDATION**

That it be recommended to Council to:

1. Receive and note Community Services report for the month of May 2020.

Ian Bodill
CHIEF EXECUTIVE OFFICER

KATHERINE TOWN COUNCIL



REPORT

NO	:	13.6
FOLDER	:	LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING/REPORTS TO COUNCIL/COMMUNITY SERVICES
MEETING	:	ORDINARY COUNCIL MEETING – 23 JUNE 2020
REPORT TITLE	:	NT LIQUOR ACT – PERMIT TO CONSUME ALCOHOL – KATHERINE KROCS GOLDEN OLDIES INC.
AUTHOR	:	SHARNA ROSS – HUMAN RESOURCES ADMINISTRATOR
ATTACHMENT/S	:	<ol style="list-style-type: none"> 1. LETTER RECEIVED – KATHERINE KROCS GOLDEN OLDIES INC – LICENSE TO CONSUME PERMIT 2. DRAFT GOVERNMENT GAZETTE – NOTICE OF PERMISSION FOR THE CONSUMPTION OF LIQUOR IN PUBLIC PLACE

PURPOSE OF REPORT

To seek Council endorsement to authorise the Chief Executive Officer to publish a notice in the Northern Territory Government Gazette under section 200 of the *Liquor Act 2019* (No. 29 of 2019), to grant permission for members of the Katherine Krocs Golden Oldies Inc. and their guests and invitees for the consumption of liquor during the hours of 3.30pm and 12.00 midnight on Saturday, 11th July 2020 within the enclosed area of Katherine Sportsground - Oval No. 1

BACKGROUND

On 1 October 2019, changes to the Liquor Act came into place which saw responsibility of permits to consume alcohol transfer from Licencing NT to the landowners as per the Liquor Act 2019, Division 6, Section 200:

- (1) The owner or occupier of a public place listed in section 171(1) may give permission for the consumption of liquor on or in all or a part of that place.
- (2) The permission may be given generally to the public or to specific persons, bodies or groups, with or without conditions.
- (3) The permission of a local council must be given by *Gazette* notice.

As a major landowner, Katherine Town Council would now be responsible for administering this process across all Council owned land including parks, gardens and reserves. A requirement as part of the approval process includes permission by Gazette notice.

KATHERINE KROCS GOLDEN OLDIES RUGBY UNION CLUB APPLICATION

On the 25th May 2020, the Katherine Town Council has received a request from the Katherine Krocs Golden Oldies Rugby Union Club (Please refer to attached) for the consumption of alcohol at the Katherine Sportsgrounds Lot 3217 Katherine NT as part of their annual Waitangi Day event.

OFFICER RECOMMENDATION**That it be recommended to Council to:**

Authorise the Chief Executive Officer to publish a notice in the Northern Territory Government Gazette under section 200 of the *Liquor Act 2019* (No. 29 of 2019), to grant permission for members of the Katherine Krocs Golden Oldies Inc and their guests and invitees for the consumption of liquor during the hours of 3.30pm and 12.00 midnight on Saturday, 11th July 2020 within the enclosed area of Katherine Sportsground - Oval No. 1



Ian Bodill

CHIEF EXECUTIVE OFFICER

Katherine Krocs Golden Oldies inc.
P O Box 2238. Katherine. NT 0847.
Email. bonrook@bigpond.com.
Ph. 0412 187 546.

25th May 2020

Katherine Town Council.
To whom it may concern.

Hello , Sam Forwood is my name and I am writing to you on behalf of the Katherine Krocs over 35's Rugby Club of which I am the Secretary.

We are seeking permission from the Katherine Town Council for the consumption of alcohol in a public restricted area, this being Field 1 Katherine Town Oval on Sat July 11th 2020 . We have the ground booked that day for a game.

As we did for the Waitangi day celebrations in Feb this year. The consumption of BYO alcohol is to be within the confines of the fenced area of Field 1 Katherine Town Oval on Sat July 11th. The timings are from 3.30pm until midnight and we anticipate approx. 200 people in attendance. The Katherine Krocs will be supplying water on the day for those who may be in need as well as food to be sold after the Rugby game.

We have a Covid 19 strategy in place and an application filled in in regards to the Covid 19 Sport and active Recreation Organization check list via the NT Government Website. When the Certificate of Currency is sent to us it will be forwarded to the Katherine Town Council.

The Krocs see this as a culturally and ethnically diverse family day event that also gives the Club a platform to give back to the Katherine Community .

I look forward to hearing from you in this matter, my contact details are as above.

Kindest regards,

Sam Forwood.
Katherine Krocs Secretary.

Government Gazette

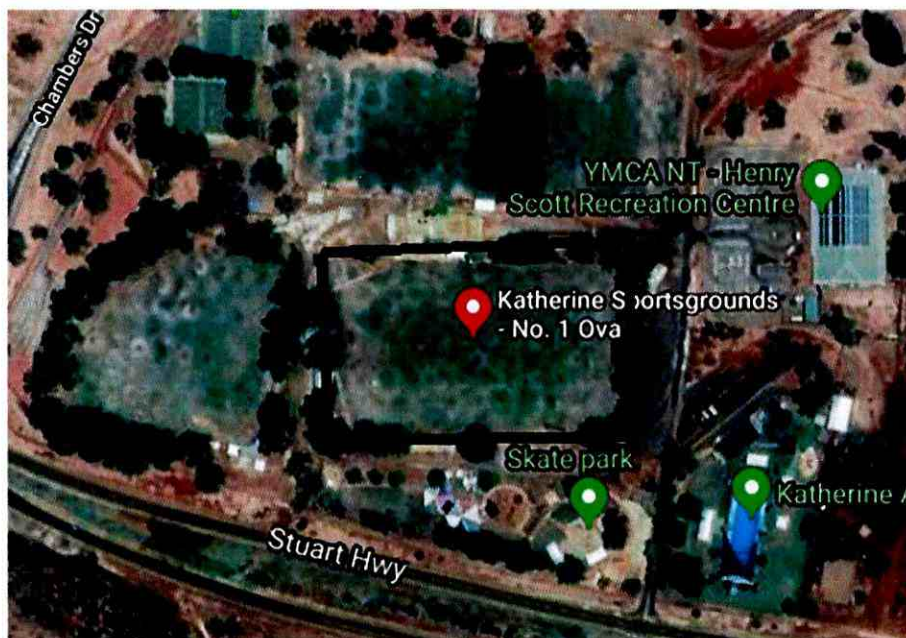
Northern Territory of Australia

*Liquor Act 2019***Notice of permission for the consumption of liquor in a public place on Saturday, 11 July 2020**

Katherine Town Council, under section 200 of the *Liquor Act 2019* (No. 29 of 2019), gives permission for members of the Katherine Krocs Golden Oldies Inc. and their guests and invitees for the consumption of liquor during the hours of 3.30pm and 12.00 midnight on Saturday, 11th July 2020 within the enclosed area of Katherine Sportsground - Oval No. 1 at Lot 3217 Katherine 0850 shown on the site map set out in the Schedule.

Dated: 23 June 2020

Ian Bodill
Chief Executive Officer
Katherine Town Council

Schedule

KATHERINE TOWN COUNCIL



REPORT

NO	:	13.7
FOLDER	:	LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING/REPORTS TO COUNCIL/COMMUNITY SERVICES
MEETING	:	ORDINARY COUNCIL MEETING – 23 JUNE 2020
REPORT TITLE	:	NT LIQUOR ACT – PERMIT TO CONSUME ALCOHOL – KATHERINE VEHICLE ENTHUSIAST CLUB
AUTHOR	:	SHARNA ROSS – HUMAN RESOURCES ADMINISTRATOR
ATTACHMENT/S	:	<ol style="list-style-type: none"> 1. LETTER RECEIVED – KATHERINE VEHICLE ENTHUSIAST CLUB – LICENSE TO CONSUME PERMIT 2. DRAFT GOVERNMENT GAZETTE – NOTICE OF PERMISSION FOR THE CONSUMPTION OF LIQUOR IN PUBLIC PLACE

PURPOSE OF REPORT

To seek Council endorsement to authorise the Chief Executive Officer to publish a notice in the Northern Territory Government Gazette under section 200 of the *Liquor Act 2019* (No. 29 of 2019), to grant permission for members of the Katherine Vehicle Enthusiast Club and their guests and invitees for the consumption of liquor during the hours listed in Table 1 within the Katherine Museum grounds (Lot 2922).

BACKGROUND

On 1 October 2019, changes to the Liquor Act came into place which saw responsibility of permits to consume alcohol transfer from Licencing NT to the landowners as per the Liquor Act 2019, Division 6, Section 200:

- (1) The owner or occupier of a public place listed in section 171(1) may give permission for the consumption of liquor on or in all or a part of that place.
- (2) The permission may be given generally to the public or to specific persons, bodies or groups, with or without conditions.
- (3) The permission of a local council must be given by *Gazette* notice.

As a major landowner, Katherine Town Council would now be responsible for administering this process across all Council owned land including parks, gardens and reserves. A requirement as part of the approval process includes permission by Gazette notice.

KATHERINE VEHICLE ENTHUSIAST CLUB APPLICATION

The Katherine Town Council lease the museum to the Historical Society of Katherine Inc. and the Katherine Vehicle Enthusiast Club are the sub-tenant of the Historical Society of Katherine Inc. located at the Katherine Museum.

On 6th June 2020, Council has received a request for consumption of alcohol from the President of the Katherine Vehicle Enthusiast Club, Mr David Reed, with the support of the Historical Society of Katherine Inc for Lot 2922 Katherine NT 0850 (see attached). This request has since been amended in collaboration with Mr Reed to reflect to dates as outlined in Table 1 to provide further clarity for the Gazette notice.

TABLE 1

DATE	REASON	LOCATION	TIME
WEDNESDAY 24/6/2020	CLUB MEETING	CLUBHOUSE	18.00 - 22.00
FRIDAY 24/7/2020	MOVIE NIGHT	CLUBHOUSE	16.00 - 23.00
SATURDAY 25/7/2020	SHOW & SHINE	CLUBHOUSE	16.00 - 23.00
WEDNESDAY 29/7/2020	CLUB MEETING	CLUBHOUSE	18.00 - 22.00
SATURDAY 15/8/2020	PROGRESSIVE DINNER	CLUBHOUSE	16.00 - 22.00
WEDNESDAY 26/8/2020	CLUB MEETING	CLUBHOUSE	18.00 - 22.00
WEDNESDAY 30/9/2020	AGM AND MONTHLY MEETING	CLUBHOUSE	18.00 - 22.00
WEDNESDAY 28/10/2020	CLUB MEETING	CLUBHOUSE	18.00 - 22.00
WEDNESDAY 25/11/2020	CLUB MEETING	CLUBHOUSE	18.00 - 22.00
SATURDAY 28/11/2020	TOY RUN	CLUBHOUSE	16.00 - 22.00
SATURDAY 5/12/2020	CHRISTMAS PARTY	CLUBHOUSE	16.00 - 24.00

OFFICER RECOMMENDATION

That it be recommended to Council to:

1. Authorise the Chief Executive Officer to publish a notice in the Northern Territory Government Gazette under section 200 of the *Liquor Act 2019* (No. 29 of 2019), to grant permission for members of the Katherine Vehicle Enthusiast Club and their guests and invitees for the consumption of liquor during the dates and times listed in Table 1 within the enclosed area of the Katherine Museum (Lot 2992).



Ian Bodill
CHIEF EXECUTIVE OFFICER



KATHERINE VEHICLE ENTHUSIASTS CLUB INC

PO Box 1183 Katherine NT 0851

President: Reedy 0407934 252

Vice President: Jim King 0409 028 903

Secretary: Mike Reed 0429 723 370

Treasurer: Tony Millikan 0418 416 126

Katherine Town Council
Attn Ian Bodill
PO Box 1071
Katherine NT 0851

04/06/20

Dear Ian,

RE: Request for Permission for Special Event Permit (Liquor License)

Thanks for following up on this matter and I spoke to Sharna last Thursday (28/05/2020) and she was very helpful. It was suggested to send through a list of dates for which the permit is requested so it may be gazetted and we understand that any changes to dates would be subject to a cost of \$150 for the matter to be re-gazetted.

These last few months has been a great example of unexpected changes. This could be problematic and gives us no flexibility to make date changes.

Further to this I'd like to request that the permit be granted to cover club sectioned events that are listed on our Calendar and also minuted at our monthly Committee meetings (February- November). I believe this gives us the best of both worlds, it's not a blanket cover for the premises but still allows us some flexibility to us with lengthy and costly changes.

I have attached a copy of the KVEC 2020 Activities Calendar to the email with this letter. The KVEC calendar is done in February and can be sent to Council each year and if you'd like a copy of the minutes each month this can also be emailed through to a nominated email address. Any changes to the calendar can also be sent through to this nominated email address.

As previously stated KVEC currently hold an MOU with the Katherine Museum we would like to request permission for both KVEC and The Katherine Museum as the tenants for your approval. This would be beneficial for the Museum to also operate any events on dates only after they are minuted in committee meeting.

As this has been an ongoing matter since November 2019 and as we start to ramp up club events again, I hope we can resolve this matter quickly for it to be gazetted and approved.

Kind regards,

David Reed
President
Katherine Vehicle Enthusiast Club
Mob: 0407 934 252

Robert Buzzo
Chairperson
The Historical Society of Katherine Inc
Mob: 0488 130 190

Katherine Toyota

HIRE POWER

Beaurepaires
We're here for all your repairs.
PH 89721997



POWER PROJECTS NT
Trade solutions for regional communities



ACTIVITIES 2020

DATE	ACTIVITY	VENUE/TIME	COMMENTS
SUNDAY 26/01/2020	AUSTRALIA DAY BREAKFAST AND UTE RUN	RSL CLUB/0700	STATIC DISPLAY/UTE RUN
WEDNESDAY 26/2/2020	CLUB MEETING	CLUBHOUSE/1930	
SUNDAY 1/3/2020	COFFEE AND CARS	BLACK RUSSIAN/0800	
SUNDAY 8/3/2020	POKER RUN	CLUBHOUSE 0830	Vs Katherine Riders
WEDNESDAY 25/3/2020	CLUB MEETING	CLUBHOUSE/1930	
SUNDAY 5/4/2020	COFFEE AND CARS	POP UP CAFÉ/0800	
SUNDAY 19/4/2020	HERTIEGE WEEK RUN	O'KEEFE HOUSE	
SATURDAY 25/4/2020	ANZAC DAY PARADE	MAIN STREET	MILITARY VEHICLES
WEDNESDAY 29/4/2020	CLUB MEETING	CLUBHOUSE/1930	
SUNDAY 10/5/2020	MOTHERS DAY RUN/COFFEE	BLACK RUSSIAN	
WEDNESDAY 27/5/2020	CLUB MEETING	CLUBHOUSE/1930	
SATURDAY 6/6/2020	PINE CREEK/MCDONALD CAMPING	PINE CREEK	OVERNIGHTING
SUNDAY 7/6/2020	COFFEE AND CARS	LAZY LIZARD	
FRIDAY 19/6/2020	FRIDAY NIGHT CRUISE	RSL	
WEDNESDAY 24/6/2020	CLUB MEETING	CLUBHOUSE/1930	
FRIDAY 3/7/2020	SMALL MEAT RAFFLES	RSL 17.45	
SATURDAY 4/7/2020	TOYOTA DAY 9-11am	KATHERINE TOYOTA	
FRIDAY 10/07/2020	SMALL MEAT RAFFLES	RSL 17.45	
FRIDAY 17/07/2020	SMALL MEAT RAFFLES	RSL 17.45	
FRIDAY 24/7/2020	SMALL MEAT RAFFLES	RSL 17.45	
FRIDAY 24/7/2020	DRIVE IN MOVIE NIGHT	MUSEUM	
SATURDAY 25/7/2020	SHOW N SHINE	RYAN PARK	
SUNDAY 26/8/2020	COFFEE AND CARS	POP UP CAFÉ	
WEDNESDAY 29/7/2020	CLUB MEETING	CLUBHOUSE/1930	
SATURDAY 15/8/2020	PROGRESSIVE DINNER	TBC	
WEDNESDAY 26/8/2020	CLUB MEETING	CLUBHOUSE/1930	
FRIDAY 4/9/2020	RED CENTRE NATS	ALICE SPRINGS	
WEDNESDAY 30/9/2020	AGM AND MONTHLY MEETING	CLUBHOUSE/1930	NEW NOMINEES
SUNDAY 4/10/2020	COFFEE AND CARS	BLACK RUSSIAN	
WEDNESDAY 28/10/2020	CLUB MEETING	CLUBHOUSE/1930	
WEDNESDAY 25/11/2020	CLUB MEETING	CLUBHOUSE/1930	
SATURDAY 28/11/2020	TOY RUN	TOWN	
SUNDAY 29/11/2020	COFFEE AND CARS	TBA	
SATURDAY 5/12/2020	CHRISTMAS PARTY	CLUBHOUSE	

Government Gazette

Northern Territory of Australia

*Liquor Act 2019***Notice of permission for the consumption of liquor in a public place on the following dates:**

- **Wednesday 24th June 2020 – 18:00 till 22:00**
- **Friday 27th July 2020 – 16:00 till 23:00**
- **Saturday 25th July 2020 – 16:00 till 23:00**
- **Wednesday 29th July 2020 – 18:00 till 22:00**
- **15th August 2020 – 16:00 till 22:00**
- **26th August 2020 - 18:00 till 22:00**
- **30th September 2020 - 18:00 till 22:00**
- **28th October 2020 - 18:00 till 22:00**
- **25th November 2020 - 18:00 till 22:00**
- **28th November 2020 – 16:00 till 22:00**
- **5th December 2020 – 16:00 till 24:00**

Katherine Town Council, under section 200 of the *Liquor Act 2019* (No. 29 of 2019), gives permission for members of the Katherine Vehicle Enthusiast Club and their guests and invitees for the consumption of liquor as mentioned in the above dates and times within the enclosed area of Katherine Museum at Lot 2922 Katherine 0850 shown on the site map set out in the Schedule.

Dated: 24 June 2020

Ian Bodill
Chief Executive Officer
Katherine Town Council

Schedule

KATHERINE TOWN COUNCIL



REPORT

NO	:	13.8
FOLDER	:	LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING/REPORTS TO COUNCIL/COMMUNITY SERVICES
MEETING	:	ORDINARY COUNCIL MEETING – 23 JUNE 2020
REPORT TITLE	:	NT LIQUOR ACT – PERMIT TO CONSUME ALCOHOL – KATHERINE TENNIS CLUB
AUTHOR	:	ROSEMARY JENNINGS – EXECUTIVE MANAGER – COMMUNITY SERVICES
ATTACHMENT/S	:	1. LETTER RECEIVED – KATHERINE TENNIS CLUB – LICENSE TO CONSUME PERMIT 2. DRAFT GOVERNMENT GAZETTE – NOTICE OF PERMISSION FOR THE CONSUMPTION OF LIQUOR IN PUBLIC PLACE

PURPOSE OF REPORT

To seek Council endorsement to authorise the Chief Executive Officer to publish a notice in the Northern Territory Government Gazette under section 200 of the *Liquor Act 2019* (No. 29 of 2019), to grant permission for members of the Katherine Tennis Club and their guests and invitees for the consumption of liquor during the hours listed in Table 1 within the enclosed area of the Katherine Tennis Club, Katherine Sportsgrounds (Lot 3271).

BACKGROUND

On 1 October 2019, changes to the Liquor Act came into place which saw responsibility of permits to consume alcohol transfer from Licencing NT to the landowners as per the Liquor Act 2019, Division 6, Section 200:

- (1) The owner or occupier of a public place listed in section 171(1) may give permission for the consumption of liquor on or in all or a part of that place.
- (2) The permission may be given generally to the public or to specific persons, bodies or groups, with or without conditions.
- (3) The permission of a local council must be given by *Gazette* notice.

As a major landowner, Katherine Town Council would now be responsible for administering this process across all Council owned land including parks, gardens and reserves. A requirement as part of the approval process includes permission by *Gazette* notice.

KATHERINE TENNIS CLUB APPLICATIONS

The Katherine Tennis Club Inc. currently occupies the Katherine Tennis Club facility via a Memorandum of Understanding with the Katherine Town Council.

On 16th June 2020, Council has received a request for consumption of alcohol from the President of the Katherine Tennis Club, Mr Greg Dickson, for the Katherine Tennis Club facility located at Lot 3271 Katherine NT 0850 (see attached). This request has since been amended in collaboration with Mr Dickson to reflect to dates as outlined in Table 1 to provide further clarity for the *Gazette* notice.

TABLE 1

DATE	REASON	LOCATION	TIME
EVERY SUNDAY 05/07/2020 – 13/12/2020	Katherine Tennis Club Social Tennis	CLUBHOUSE	18.30 - 21.00
EVERY WEDNESDAY 08/07/2020 – 23/09/2020	Katherine Tennis Club Social Tennis	CLUBHOUSE	18.00 - 19.00
EVERY SATURDAY 04/07/2020 – 26/09/2020	Katherine Tennis Club and Katherine Cricket Club Social Events	CLUBHOUSE	14.00 - 19.00
01/08/2020	Katherine Tennis Club Tournament	CLUBHOUSE	14.00 – 22.00
02/08/2020	Katherine Tennis Club Tournament	CLUBHOUSE	14.00 – 22.00

OFFICER RECOMMENDATION

That it be recommended to Council to:

1. Authorise the Chief Executive Officer to publish a notice in the Northern Territory Government Gazette under section 200 of the *Liquor Act 2019* (No. 29 of 2019), to grant permission for members of the Katherine Tennis Club and their guests and invitees for the consumption of liquor during the dates and times listed in Table 1 within the enclosed area of the Katherine Tennis Club, Katherine Sportsgrounds (Lot 3271).


 Ian Bodill
CHIEF EXECUTIVE OFFICER

Katherine Tennis Club
PO Box 960
Katherine NT 0851

Katherine Town Council
Attn: Ian Bodill
PO Box 1071
Katherine NT 0851

June 16, 2020

Dear Ian,

Re: application for license to consume alcohol at Katherine Tennis Club events

Katherine Tennis Club would like to request for a license to consume alcohol on the grounds of the Katherine Tennis Club (Lot 2525, Stuart Highway) across a series of regular events and programs held at the club across 2020.

Details of the dates, times, purpose and number of people this request applies to are as follows:

- Each Sunday from 6:30pm to 9pm (During weekly social tennis event, approx. 10-15 people)
- Wednesday afternoons from 6-7pm from July 8 until September 23 (approx. 15 people)
- Saturday afternoons from 2-7pm from July 4 until September 26 (15-20 people, for bbq and family gatherings related to tennis and cricket)

We also request times and dates related to a tournament weekend the club is hosting from August 1-3 as follows:

- Saturday August 1 from 2pm-10pm (approx. 50 people)
- Sunday August 2 from 2pm-10pm (approx. 50 people)

If you require further information, please contact Greg Dickson on 0427 391 153 or email katherinetennisclub@gmail.com

Thank you for considering our request.

Kind regards,

Greg Dickson
President
Katherine Tennis Club

Government Gazette

Northern Territory of Australia

*Liquor Act 2019***Notice of permission for the consumption of liquor in a public place**

Katherine Town Council, under section 200 of the *Liquor Act 2019* (No. 29 of 2019), gives permission for members of the Katherine Tennis Club and their guests and invitees for the consumption of liquor as detailed in the below dates and times within the enclosed area of Katherine Tennis Club, Katherine Sportsgrounds at Lot 3217 Katherine 0850 shown on the site map set out in the Schedule.

- Every Sunday from 5 July 2020 to 13 December (inclusive) during the hours of 6.30pm and 9.00pm;
- Every Wednesday from 8 July 2020 to 23 September 2020 (inclusive) during the hours 6.00pm – 7pm;
- Every Saturday from 4 July 2020 to 26 September 2020 (inclusive) during the 2.00pm and 7.00pm;
- Saturday 1 August 2020 between the hours of 2.00pm and 10.00pm; and
- Sunday 2 August 2020 between the hours of 2.00pm and 10.00pm.

Dated: 24 June 2020

Ian Bodill
Chief Executive Officer
Katherine Town Council

Schedule



REPORT

NO : 13.9

FOLDER : LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING
MEETING/REPORTS TO COUNCIL/INFRASTRUCTURE &
ENVIRONMENT

MEETING : ORDINARY COUNCIL MEETING – (23/06/2020)

REPORT TITLE : INFRASTRUCTURE & ENVIRONMENT SERVICES REPORT FOR THE
MONTH OF MAY 2020

AUTHOR : SHAWN COLLINS - MANAGER GROUNDS & MAINTENANCE

ATTACHMENT/S : NIL

PURPOSE OF REPORT

To inform Elected Members of tasks, activities and projects undertaken by the Infrastructure & Environment Services, during the month of May 2020.

BACKGROUND

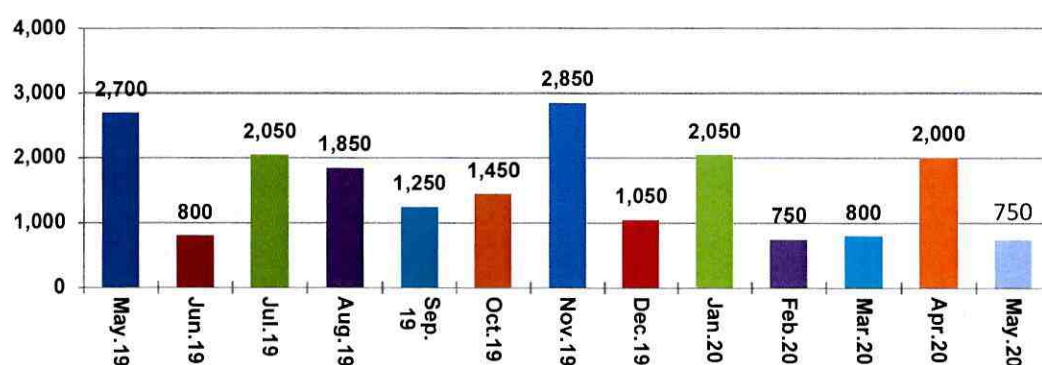
Facilities

Parks & Open Areas

- With the easing of COVID-19 restrictions, all facilities that were able to, were re-opened. There were major cleans and maintenance undertaken for each park or venue prior to re-opening.
- Council staff continued with irrigation and landscaping upgrades to the Hot Springs. A major clean was undertaken at the bottom pool to make safe and reopen to the public.
- A major clean was undertaken at the Katherine BMX facility to get the area ready for this year's season.
- Removed all rubbish, including old books and furniture, from the Katherine Public Library following the recent minor renovations.
- Undertook noxious weed control at various areas including the CBD, Northside, Southside and Eastside for Caltrop.
- Completed minor irrigation repairs at various parks throughout the township including the Giles Street open areas, Lindsay St Complex and at the Airport.
- Completed major repairs to irrigation at the cricket oval.
- Repaired a side entry pit (SEP) lid on Ixora Court.
- Council staff and a contractor investigated a problem with the bore at the museum. This bore also feeds irrigation to the cemetery. Both the pump and motor were diagnosed as worn out and unserviceable. A replacement pump and motor has been ordered.
- Weed spraying for the control of Caltrop was completed at Helena Road and Hendry Road.
- Council staff commenced cleaning the holding yards and racetrack areas in preparation for this year's Katherine races.

- Cleared grounds and commenced construction of a new fence between the Katherine Hot Springs playground and the CEOs house.
- Council staff and contractors installed a new bore lay flat hose and wired a new pump in place.
- Council staff removed four (4) dead palms outside Southgate shopping centre.
- Council staff continued with the clean-up of the Depot yard.
- Council staff undertook over mowing at the Katherine Civil Airport grounds as the current contractor (Rise) are not currently operating due to impacts from COVID-19.
- Council staff repaired a side entry pit (SEP) lid and adjacent bitumen lip in Cameron Street.
- Removed a tree branch considered dangerous from a tree in Third Street.
- Council staff replaced 60 broken, damaged and vandalised sprinkler components throughout the larger urban area. The total cost of these repairs and installations to date (2019/20 financial year) is \$16,850.
- Council used 49,256 kilolitres of water for the month of May which is down from last month's total of 53,128 kilolitres.

Monthly Sprinkler Replacement (\$)

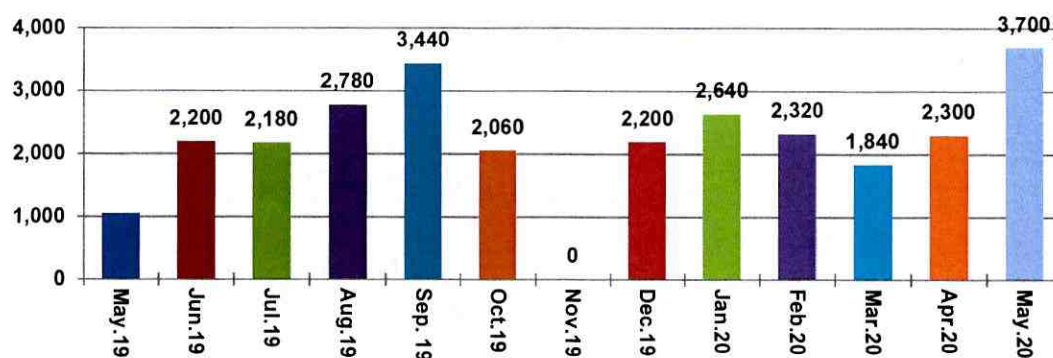


Urban Litter

The Urban Litter Collection statistics are based on weights recorded over the weighbridge located at the Waste Management Facility and include refuse from areas throughout the broader urban area. Katherine Terrace is not included in these statistics.

Please note that approximately three (3) tonnes of waste was accepted due to the Depot yard clean-up; these figures have not been added to the monthly figure.

Monthly Urban Litter Collection (kg)



Katherine Sportsgrounds

- Council's contractor repaired a mains water leak at the ground equipment.
- Council staff carried out repairs to lines and irrigation feeding from the new bore.

Katherine Showgrounds

- Repairs were undertaken to irrigation lines.
- Watering times for irrigating the oval have had to be adjusted to fit in with the current works being completed by contractors at the Showgrounds as electrical power to the bore was at times shut down and sometimes only available outside of normal working hours.

Buildings

- Council staff removed rubbish from Visitor Information Centre following an office clean up.
- Council staff removed graffiti from Visitor Information Centre.
- Council staff repaired irrigation damaged at Katherine Civil Airport. The damage is believed to be caused by wandering stock (cattle).
- Council staff repaired two major leaks under pathways at Katherine Civil Airport.

Katherine Memorial Cemetery

- There were 5 burials during the month of May 2020.
- Council staff continue to undertake the general maintenance of the cemetery grounds.
- Council staff levelled, topsoiled and seeded four (4) recent interment sites at the cemetery.
- Council staff removed fallen tree branches from cemetery.

Road Reserves

Road Pavements

- Council's contractor carried out scheduled sweeping and kerbside spraying for the month of May 2020.
- Council staff carried out regulatory sign repairs along Hendry and Florina Roads including urban areas.
- Council staff carried out cleaning, pruning and poisoning in the North and East alleyways.
- Council staff removed a dangerous tree overhanging Riverbank walking trail.
- Council's contractor carried out repairs to a leaking town water connection at 50 Cent Park.
- Council staff carried out pothole repairs on Emungalan Road and several streets in town.
- Council's contractor repaired all irrigation lines that supply water to the roundabouts located in the CBD area.

Wet Season Operations

- Council staff continued with the 'Slashing of Open Areas and Rural Road Reserves' program which resulted in works being undertaken along Florina Road, Lansdowne area Emungalan Road and urban open areas.
- Council staff continued the spraying of caltrop throughout the Municipality including along Zimin Drive.

Personnel & Services

- With COVID-19 restrictions easing events/hires have returned. It is now a requirement for the hirer to provide Council a copy of their COVID-19 Certificate of Commitment.

Building Activities within the Municipality

- Council considered the following number of planning applications during the month of May 2020:
 - One (1) Development Application
 - One (1) Clearing of Vegetation Application

OFFICER RECOMMENDATION**That it be recommended to Council:**

- Receive and note report of the Infrastructure & Environment Services for the month of May 2020



Ian Bodill
CHIEF EXECUTIVE OFFICER

KATHERINE TOWN COUNCIL**REPORT**

NO : 13.10

FOLDER : LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING/REPORTS TO COUNCIL/INFRASTRUCTURE & ENVIRONMENT

MEETING : ORDINARY COUNCIL MEETING – (23/06/2020)

REPORT TITLE : EMUNGALAN BRIDGE RENEWAL – FUNDING AND PROJECT MANAGEMENT AGREEMENT

AUTHOR : Brendan Pearce, Executive Manager of Infrastructure & Environment

ATTACHMENT/S : 1. DRAFT FUNDING AND PROJECT MANAGEMENT AGREEMENT (RECOVERABLE WORKS) LEIGHT CREEK BRIDGE

PURPOSE OF REPORT

To seek Council approval to accept the Deed of Funding and Project Management agreement of the realignment and upgrading of the Leight Creek Crossing on Emungalan Road, Katherine and authorise the Mayor and CEO to affix the common seal and sign the Agreement.

BACKGROUND

This project has been in its conception phase for several years and there has been considerable advocacy for the project from a number of residents affected by the lack of a suitable crossing of Leight Creek during the wet season.

In 2016 Council was successful in gaining \$1,500,000 funding through the Federal Government's Bridge Renewal Program. Council has also secured \$1,500,000 funding from the Northern Territory Government. The initial estimated cost of the bridge was \$3,865,000. Under the funding agreement with the Northern Territory Government, Council has certain obligations including to carry out the works.

DIPL and Council officers agree that there are technical, cost and program benefits of having the construction of the Works procured by DIPL under their usual procurement processes and undertaken by one or more construction contractors engaged by DIPL.

This funding and project management agreement will see Council agree to appoint DIPL to procure and progress the construction contract(s) required to undertake and complete the works, and to manage those contracts to completion.

In turn, Council agrees to fund the works and to pay DIPL as per the terms of the agreement.

Current Situation

The initial investigations, survey and design for this bridge renewal are complete to the point where the project is ready to proceed to request for tender.

DIPL has advised however that due to other current commitments in relation to their bridge reconstruction program, this project will not commence procurement and construction until after the 2020/21 wet season.

Roles and Responsibilities of the parties

Under this agreement, DIPL will procure, manage the contracts for works and act generally as the project manager for the works in accordance with the agreement.

DIPL is reliant on Council providing timely and proper instructions, approvals and information in order for DIPL to fulfil its obligations as project manager.

Council will, through its appointed representative, attend meetings, attends visits to site and provide timely and proper information when requested by DIPL.

Council will also undertake community engagement and consultation with relevant stakeholders.

If the construction contractor initiates a scope change or variation during the works, DIPL must seek input from Council before either accepting or rejecting the variation.

Report

In order to formalise the acceptance of the '*Funding and Project Management Agreement (Recoverable Works) Leight Creek Bridge*', Council will need to affix the common seal and authorise the Mayor and CEO to sign the Agreement.

OFFICER RECOMMENDATION

That it be recommended to Council to:

1. Accept the '*Funding and Project Management Agreement (Recoverable Works) Leight Creek Bridge*', and authorise the Mayor and CEO to affix the common seal and sign the Agreement



Ian Bodill
CHIEF EXECUTIVE OFFICER

Funding and Project Management Agreement
(Recoverable Works)
Leight Creek Bridge

**The Northern Territory of Australia, represented by the Department of
Infrastructure, Planning and Logistics**

and

Katherine Town Council

Table of Contents

1.	Definitions and Interpretation	1
2.	Acquisition of Land	4
3.	Funding Agreement	4
4.	Funding	4
5.	Procurement	5
6.	Payment of Contractors	6
7.	Representatives for the Works	6
8.	Roles and responsibilities of the parties	6
9.	The Works	7
10.	The Site	9
11.	Disclosure of information	9
12.	Changes in scope and variations	9
13.	Insurance, risk, release and indemnity	10
14.	Acknowledgments and warranties	11
15.	Confidentiality	12
16.	Disputes	13
17.	Default and Termination	14
18.	Notices	15
19.	GST	16
20.	General Provisions	16
	Schedule 1	20
	Schedule 2	21

Date	The	day of	2020
Parties			
1.	The Northern Territory of Australia care of the Department of Infrastructure, Planning and Logistics of Level 5, Energy House, 18-20 Cavenagh Street, Darwin Northern Territory of Australia (DIPL).		
2.	Katherine Town Council of Civic Centre, Lot 1865 Stuart Highway, Katherine Northern Territory of Australia (Council).		
Recitals			
A	The Northern Territory of Australia (through its Agency the then Department of Transport) and Council entered into a funding agreement on 23 June 2015 for the purpose of funding the Works (Funding Agreement).		
B	Under the Funding Agreement, Council has certain obligations including to carry out the Works. DIPL and Council agree there are technical, cost and program benefits of having the construction of the Works procured by DIPL under DIPL's usual procurement processes and undertaken by one or more Construction Contractors engaged by DIPL.		
C	Council has agreed to appoint the Territory (by its Agency the Department of Infrastructure, Planning and Logistics) to procure under DIPL's usual procurement processes the construction contract(s) required to undertake and complete the Works, and to manage those contracts to completion.		
D	DIPL has agreed to facilitate (for Council) the procurement and completion of the Works at Council's cost on the terms of this Agreement.		
E	Council has agreed to fund the Works and to pay DIPL on the terms of this Agreement.		

It is agreed as follows:

1. Definitions and Interpretation

1.1 Definitions

In this Agreement:

Account has the meaning given to that term in the Funding Agreement.

Agreement means this Agreement and includes all schedules and annexures.

Assign includes a transfer, conveyance, novation, merger, subletting, licence or other dealing in any manner whatsoever or howsoever (whether legally, beneficially, or otherwise and whether conditionally or not).

Associate means any related body corporate (as that term is defined in section 50 of the *Corporations Act 2001* (Cth)) of Council.

Authority means any Territory or Commonwealth governmental, semi-governmental, administrative, fiscal, judicial or quasi-judicial body, department, commission, authority, tribunal, agency or entity, minister, corporation or government owned corporation, or a local government authority or council.

Business Day means any day that is not a Saturday, Sunday or public holiday in Katherine.

Confidential Information means:

- (a) this Agreement (including its terms), and the fact of this Agreement; and
- (b) any information or material relating to this Agreement provided by or for one Party to the other Party, including but not limited to:
 - (i) any information that is by its nature confidential;
 - (ii) any information designated as confidential by the Party by or for whom the information is provided; and
 - (iii) any information that the recipient of the information knows to be confidential.

Construction Contract means the agreement, or each agreement in the event there is more than one, entered into between DIPL and the Construction Contractor for the construction and delivery of the Works.

Contribution has the meaning given to that term in clause 4.1(b).

Construction Contractor means the contractor or each contractor in the event there is more than one (and includes any subcontractor at any level) appointed by DIPL to carry out and complete the Works.

Date of this Agreement means the date the last of the Parties executes this Agreement.

Defects Liability Period has the meaning given to that term in the Construction Contract.

Drawings and Specifications mean the drawings and specifications contained in Schedule 2.

Funding means the amount of \$1,500,000.00 paid to Council under the Funding Agreement.

Funding Agreement means the agreement by that name specified in Recital A.

Council means Katherine Town Council as established pursuant to the *Local Government Act 2008* (NT) and includes its lawful successors and assigns.

DIPL means the Northern Territory of Australia, represented by the Department of Infrastructure, Planning and Logistics.

GST has the meaning given in section 195-1 of the GST Act.

GST Act means the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

GST Supplier means, in respect of a particular GST Supply made under this Agreement, the party entitled to payment for that GST Supply.

GST Supply has the meaning given to "Supply" in section 195-1 of the GST Act.

Land has the meaning given to that term in clause 2(a).

Law refers to all laws (general or legislative, whether subordinate or not), ordinances, proclamations, orders or regulations in force in the Northern Territory from time to time.

Parties means DIPL and Council and **Party** means any one of them.

Practical Completion means completion of the Works to the standards set out in the Construction Contract.

Site means the area designated on the plan contained in Schedule 1.

Works means the construction of an elevated level crossing for Emungalan Road over Leight Creek to significantly improve the flood immunity of Emungalan Road in the area of its crossing of Leight Creek in accordance with the Drawings and specifications, and any other works agreed in writing by DIPL and Council to comprise part of the Works.

1.2 Interpretation

In this Agreement:

- (a) headings are for convenience only and do not affect interpretation;
- and unless the context indicates a contrary intention:
- (b) **person** includes an individual, the estate of an individual, an Authority, an association or a joint venture (whether incorporated or unincorporated), a partnership and a trust;
- (c) a reference to a Party includes that Party's executors, administrators, successors and permitted assigns, including persons taking by way of novation;
- (d) a reference to a document (including this Agreement) is to that document as varied, novated, ratified or replaced from time to time;
- (e) a reference to a statute includes its delegated legislation and a reference to a statute or delegated legislation or a provision of either includes consolidations, amendments, re-enactments and replacements;
- (f) a word importing the singular includes the plural (and vice versa), and a word indicating a gender includes every other gender;
- (g) a reference to a Party, clause or schedule is a reference to a Party, clause or schedule to or of this Agreement, and a reference to this Agreement includes all schedules to it;
- (h) if a word or phrase is given a defined meaning, any other part of speech or grammatical form of that word or phrase has a corresponding meaning;
- (i) **includes** in any form is not a word of limitation;
- (j) a reference to an Authority will, if it ceases to exist or is reconstituted, renamed or replaced, or its powers or functions are transferred to any other Authority, be deemed to

refer to the Authority established or constituted in lieu thereof or as nearly as may be succeeding to the powers or functions thereof; and

- (k) a reference to \$ or *dollars* is to Australian currency.

2. Acquisition of Land

- (a) The obligations of DIPL under this Agreement are subject to and conditional upon Council, at its own cost, acquiring those parts of NT Portion 6296 and NT Portion 4793 required for the proposed new alignment of Emungalan Road over Leight Creek as set out in the Drawings and Specifications (**Land**).
- (b) Council must make its best endeavours to acquire the Land as soon as reasonably practicable after the Date of this Agreement and in any event prior to the date specified in clause 2(d).
- (c) Council must, within five Business Days of acquiring the Land, notify DIPL in writing.
- (d) If Council does not finalise the acquisition of the Land and become vested with the care, control and management of the Land as a road in accordance with section 186 of the *Local Government Act 2008* (NT) within **6 months** after the Date of this Agreement or such other date as agreed in writing by the Parties, then either party may terminate this Agreement by written notice to the other party whereupon this Agreement will come to an end and be of no further force or effect and no compensation whatsoever will be payable by either Party to the other (or to any third party) by reason thereof or in connection thereto.

3. Funding Agreement

3.1 Provision of Funding to Council

Council acknowledges that the Funding has been paid into the Account pursuant to and on the terms of the Funding Agreement, for the conduct of the project (as specified in the Funding Agreement).

3.2 Extension of time to complete

The Parties hereby agree to extend the completion date (as defined in the Funding Agreement) to 31 December 2021.

4. Funding

4.1 Contributions by Council and others to the Works

- (a) The Parties acknowledge and agree that the Works will be funded by Council, the Northern Territory of Australia (to the extent of the Funding) and the Australian Federal Government.

- (b) Council has represented to DIPL that the total cost to deliver the Works is estimated to be approximately \$3,700,000.00 (excluding GST). Council must contribute, or procure the contribution, of the following amounts to the costs of the Works:
 - (i) the sum of \$1,500,000.00 (excluding GST) which sum Council acknowledges has been paid to Council (or Council is entitled to be paid it) from the Federal Government Roads to Recovery Grant;
 - (ii) the sum of \$700,000.00 (excluding GST) which sum will be contributed by Council,
 together the "**Contribution**".
- (c) The Contribution and the Funding (totalling \$3,700,000.00 (excluding GST)) must be paid to DIPL and used by DIPL for the purposes of the Works.

4.2 Payment of Funding to the Territory

- (a) On receipt of Council's notice issued pursuant to clause 2(c), DIPL must deliver a tax invoice to Council for the Funding and the Contribution.
- (b) Council must within 20 days of receipt of the tax invoice issued pursuant to clause 4.2(a), pay the Funding and the Contribution to enable DIPL to pay Construction Contractors carrying out the Works.

4.3 No additional Funding

Council acknowledges that DIPL is under no obligation to either provide any monies to Council or commit monies of the Northern Territory of Australia if expenditure on the Works exceeds the Funding and Contribution.

4.4 Interest on payments

Council acknowledges and agrees that DIPL is liable to pay interest on amounts due and payable under the Construction Contract, and agrees to indemnify and hold DIPL harmless in respect of interest paid by DIPL to the extent any delay is caused or contributed to by Council.

5. Procurement

-
- (a) Subject to clause 2, DIPL will after receipt of the Funding and the Contribution, procure the engagement of a construction contractor to construct the Works (the **Construction Contractor**).
 - (b) Council acknowledges that the procurement for the construction of the Works may be packaged with other works or services tendered by DIPL in order to generate efficiencies and economies of scale for the Works and other projects.
 - (c) DIPL will have complete discretion and control in the tendering, appointment and contract management of all contracts and may, but is not obliged to, consult with Council in relation to the procurement of the Construction Contractor.

6. Payment of Contractors

- (a) As part of its project management of the Works, DIPL will assess monthly progress payment claims received from the Construction Contractor(s) and, where it considers appropriate, pay those payment claims from the Funding or the Contribution.
- (b) Where DIPL determines that a payment claim is to be disputed, it will dispute the payment claim with the Construction Contractor and work with the Construction Contractor to resolve the dispute so that the payment claim is acceptable and can be paid.

7. Representatives for the Works

7.1 Appointment of Council's Representative

- (a) Council must appoint a person to represent Council for the purposes of this Agreement as soon as reasonably practicable after the Date of this Agreement (**Council's Representative**) and notify DIPL of Council's Representative.
- (b) Council's Representative will act as Council's representative for the Works and be Council's first point of contact for all matters concerning this Agreement.
- (c) Council will advise DIPL of any change to the identity or details of Council's Representative within 3 Business Days of the change occurring.

7.2 Appointment of DIPL Representative

- (a) DIPL must appoint a person to represent DIPL for the purposes of this Agreement as soon as reasonably practicable after the Date of this Agreement (**DIPL's Representative**) and notify Council of DIPL's Representative.
- (b) DIPL's Representative will act as DIPL's representative for the Works and be DIPL's first point of contact for all matters concerning this Agreement.
- (c) DIPL must advise Council of any change to the identity or details of DIPL's Representative within 3 Business Days of the change occurring.

8. Roles and responsibilities of the parties

8.1 Role of DIPL

- (a) DIPL will procure, manage the contracts for works and act generally as the project manager for the Works in accordance with this Agreement.
- (b) Council acknowledges and agrees that in acting as project manager for the Works and in particular (but without limitation) in preparing tender documentation, advertising and awarding tenders, DIPL is reliant on Council providing timely and proper instructions, approvals and information in order for DIPL to fulfil its obligations as project manager under this Agreement.

- (c) DIPL will appoint a representative of the agency to the position of Superintendent (as that term is defined in the Construction Contract) for the Works for contract management purposes.

8.2 Role of Council:

- (a) In order for DIPL to carry out its role as project manager for the Works, Council will ensure that Council's Representative:
 - (i) attends meetings as requested by DIPL;
 - (ii) attends visits to the Site as required by DIPL;
 - (iii) provides timely and proper information when requested by DIPL; and
 - (iv) complies in a timely fashion with all reasonable directions in respect of the Works.
- (b) Undertake community engagement and consultation with relevant stakeholders.
- (c) Council must provide DIPL with instructions and approvals required in relation to the Works in a timely manner and without delay. DIPL will in no way be responsible for delays or delay costs caused by Council's failure to provide timely instructions and approvals.

9. The Works

9.1 General conduct

DIPL will ensure that the Works are carried out diligently, effectively, in a proper and workmanlike manner on the Site, to a high professional standard and in accordance with this Agreement, Australian Standards, and comply with the provisions of any relevant statutes, regulations and by-laws in force from time to time.

9.2 Ownership of the Works

- (a) Council and DIPL acknowledge that the Works will be undertaken on a Council Road and upon completion will be owned by Council.
- (b) Following completion of the Works, Council will be responsible for the upkeep and maintenance of the Works and all costs associated with such upkeep and maintenance.

9.3 Responsibility for the Works

- (a) The Works will be constructed by the Construction Contractor and overseen by DIPL, and notwithstanding any other provision of this Agreement, DIPL will be wholly responsible and liable under the Construction Contract, including (subject to clauses 4.3 and 4.4) for the payment to the Construction Contractor.
- (b) Notwithstanding clause 9.3(a), to the extent DIPL becomes liable for any harm or loss of the Construction Contractor under the Construction Contract or suffers loss or harm itself under the Construction Contract, arising out of or in connection with a breach by Council

of this Agreement or Council's acts, omissions, default or negligence, Council must indemnify and hold DIPL harmless except to the extent that loss or harm was caused or contributed to by any act, omission, default or negligence of DIPL or DIPL's contractors (including the Construction Contractor and subcontractors of any tier).

- (c) DIPL will make its best endeavours to ensure the Works comply with the requirements of all Authorities and with all Laws and relevant Australian Standards.

9.4 Access to the Site

- (a) Council must provide each Construction Contractor and their subcontractors of any tier with access to and egress from the Site to the extent reasonably required for the purpose of the Works.
- (b) The access referred to in clause 9.4(a) includes a licence to remain on the Site as may be necessary for the purposes of carrying out and completing the Works and the rectification of any defects in the Works.
- (c) Council will be solely liable for any delay or variation in or under the Construction Contract arising in connection with a delay or failure to provide access to the Site as required by this clause 9.4.

9.5 Performance of the Works

Subject to Council's compliance with this Agreement, DIPL shall use reasonable endeavours to ensure each Construction Contractor complies with its obligations under the relevant Construction Contract insofar as they relate to the Works, but will not be liable to Council or any other party in any way in connection with any delay of the Works.

9.6 Practical completion, handover and ownership of the Works

- (a) DIPL will notify Council when the Works reach Practical Completion and DIPL must provide to Council a copy of the certificate of practical completion as issued as soon as reasonably practicable after receiving it.
- (b) Following Practical Completion:
 - (i) DIPL will hand the Works to Council and Council must accept the handover of the Works from DIPL; and
 - (ii) the Works will be owned by Council.
- (c) Following handover of the Works, Council;
 - (i) will be responsible for the upkeep and maintenance of the Works and all costs associated with such upkeep and maintenance, except anything that the Construction Contractor is obliged to address during the Defects Liability Period (which period will be advised to Council when known by DIPL); and
 - (ii) subject to clause 9.6(c)(i), must not conduct any works or alterations of any kind at the Site during the Defects Liability Period (which period will be advised to

Council when known by DIPL) without first obtaining the written approval of DIPL.

10. The Site

- (a) Council must not part with possession, assign, transfer, abandon or otherwise dispose of the Site or Council's right to occupy the Site until after completion of the Works without the prior written approval of DIPL.
- (b) If Council wishes to visit the Site during the construction of the Works, it must first contact DIPL and DIPL will arrange for Council to visit the Site.

11. Disclosure of information

11.1 Relevant Details

DIPL must, subject always to clause 15 and any contractual or equitable duty of confidence owed by DIPL:

- (a) allow Council reasonable access to information which is held by DIPL in relation to the carrying out and completion of the construction of the Works; and
- (b) keep Council informed in relation to the construction of the Works including in relation to any proposed variations, cost changes, delays or other material matters under the Construction Contract or otherwise in relation to the Works.

11.2 Construction Contract Disclosure

Except as and to the extent expressly provided under this Agreement, in no event shall DIPL be obliged to disclose the Construction Contract for construction of the Works to Council.

12. Changes in scope and variations

12.1 Change initiated by Construction Contractor

- (a) If the Construction Contractor initiates a scope change or variation (**Contractor Change Order**), DIPL will respond to the Construction Contractor by either accepting or rejecting the Contractor Change Order.
- (b) In providing its response to a Contractor Change Order, DIPL must seek input from Council.

12.2 Change initiated by Council

- (a) If Council identifies a scope change or variation it will advise DIPL.
- (b) DIPL will obtain a price from the Construction Contractor for the scope change or variation and submit it to Council for approval.

- (c) If approval is given, DIPL will advise the Construction Contractor accordingly, and will make its best endeavours to ensure the Construction Contractor proceeds with the changes.

12.3 Change initiated by DIPL

- (a) DIPL may recommend a scope change or variation to the Works.
- (b) Where a scope change or variation is recommended, DIPL will obtain a price from the Construction Contractor for the scope change or variation and submit it to Council for approval.
- (c) If Council approves the scope change or variation, DIPL will advise the Construction Contractor accordingly, and will make its best endeavours to ensure the Construction Contractor proceeds with the changes.

12.4 Payment for Scope Changes and Variations

All costs arising from scope changes and variations approved under this clause 11 will be paid for using the Funding or the Contribution and if the Funding and the Contribution are depleted all such costs will be met by Council (unless the scope change or variation is necessary due to a default of DIPL under a relevant works contract, in which case the costs will be met by DIPL).

13. Insurance, risk, release and indemnity

13.1 Risks and insurance

Council acknowledges that the Site and the Land are owned at all times by Council, and Council at all times:

- (a) accepts all risks in relation to; and
 - (b) will hold appropriate insurances for,
- all matters including damage, loss, destruction and the like of the Works and all other fixtures and fittings on the Site and Land belonging to Council.

13.2 Release

Council releases to the full extent permitted by law, DIPL and its officers, employees, agents, contractors, and invitees (in this clause 13 referred to as “those released”) from all responsibility or liability for the risks referred to in clause 13.1, loss of or damage to any property, or injury or death to any person, arising out of any involvement of those released pursuant to this Agreement, save to the extent that such responsibility or liability for loss, damage and the like was caused or contributed to by those released.

13.3 Indemnity

Council indemnifies (and keeps indemnified) DIPL and its officers, employees, agents, contractors and invitees (in this clause referred to as “those indemnified”) against any:

- (a) loss, damage or other liability incurred by those indemnified; and
- (b) loss or expense incurred by those indemnified in dealing with any claim against them, (including legal costs on a solicitor and own client basis),

that is caused by or arises from:

- (c) the risks referred to in clause 13.1;
- (d) an act or omission by Council, or any of Council's officers, employees, agents, volunteers, subcontractors, visitors or invitees (including Council's Representative) in connection with this Agreement or the Works, where there was fault on the part of the person whose conduct gave rise to that liability, loss, damage, or expense; and/or
- (e) an act or omission of Council (whether negligent or otherwise), or a breach or failure by Council to comply with any or all of Council's obligations under this Agreement,

save to the extent that such loss, damage or liability was caused or contributed to by those indemnified.

14. Acknowledgments and warranties

14.1 Council's Acknowledgements

Council acknowledges and agrees that DIPL will not be responsible or liable for:

- (a) the performance of any obligations of Council or for payment of any amounts incurred by Council under any contracts entered into by Council for the Works;
- (b) any claim by a contractor against DIPL or Council for payment or extensions of time including any liquidated damages, or for any delay suffered or incurred by Council in respect of the progress or completion of the Works or any part of it; or
- (c) the performance of any matter or obligation of Council under this Agreement, the time taken or costs incurred in performance of any such obligation.

14.2 Council's Warranties

Council warrants to DIPL that:

- (a) Council will in a proper and timely manner comply with each of its obligations under this Agreement;
- (b) Council will notify and keep DIPL adequately informed of any matter that will or could affect:
 - (i) any variations to any design, construction, approvals or works program for the Works; and
 - (ii) the performance by Council in accordance with this Agreement of any obligation under this Agreement;

- (c) Council has obtained independent legal advice about the nature, effect and extent of this Agreement, or has been given the opportunity to seek independent legal advice about the nature, effect and extent of this Agreement;
- (d) DIPL by its officers, employees, contractors and agents has not made any promise, representation or inducement or been party to any conduct which is material to the entry into this Agreement other than as set out in this Agreement; and
- (e) Council is aware that DIPL, its officers, employees, contractors and agents are relying on these warranties in entry to and performance of this Agreement.

15. Confidentiality

15.1 Confidential Information

Subject to this Agreement, each Party must hold all Confidential Information of the other Party in confidence and must not make any use of it, except for the purposes of performing its obligations or exercising its rights under this Agreement and must not disclose or permit or cause the Confidential Information of the other Party to be disclosed to any person except:

- (a) as authorised in writing by the other Party;
- (b) to the extent necessary to give effect to the rights and obligations of the Parties under this Agreement;
- (c) to its employees or contractors to the extent necessary to perform its obligations under this Agreement;
- (d) to solicitors or other professional advisers under a duty of confidentiality;
- (e) to a banker or other financial institution or insurer relevant to a Party or Associate, to the extent required for the purpose of raising funds or maintaining compliance with credit or risk management arrangements;
- (f) which is required to be disclosed by Law or the rules or requirements of a stock exchange;
- (g) in the case of DIPL, to the Parliament, the Administrator, Cabinet, a Minister or any Parliamentary, Ministerial or Cabinet Committee of DIPL.

15.2 Confidentiality obligation to survive termination or expiry

The provisions of this clause 15:

- (a) survive and continue to bind the Parties following the expiry or earlier termination of this Agreement; and
- (b) survive and continue to bind a Party notwithstanding that such Party is no longer a Party to this Agreement.

15.3 Public announcements and communication

Council and DIPL must not make any public announcements in relation to or in any way in connection with this Agreement or the Works without the prior consent in writing from the other party.

16. Disputes

16.1 Notice of dispute

- (a) If a dispute arises between DIPL and Council as to any matter arising out of this Agreement (**Dispute**), the Party claiming the Dispute will notify the other Party in writing of the Dispute and the Parties must follow the process in this clause before taking any action in a court (other than for urgent interlocutory relief).
- (b) Upon receiving written notice of the Dispute, DIPL's Representative and Council's Representative will, within 5 Business Days of the notice, meet and attempt to resolve the Dispute.
- (c) If DIPL's Representative and Council's Representative are not able to resolve the Dispute within 5 Business Days of its meeting, the Dispute will be referred to the Chief Executive of DIPL and the Chief Executive Officer of Council, who will attempt to resolve the Dispute.

16.2 Appointment of mediator

- (a) If the Dispute cannot be resolved within 10 Business Days of it being referred to the persons mentioned in clause 16.1, the Party claiming the Dispute will refer the Dispute to a mediator.
- (b) If the Parties cannot agree to the identity of a mediator, then a mediator will be appointed by the President of the Law Society of the Northern Territory.
- (c) The Parties will make available to the mediator all materials requested by it and will provide it with all other materials which are relevant to the determination.
- (d) The role of the mediator is to assist the Parties to negotiate to resolve the Dispute. The mediator may not make a binding decision on the Parties unless the Parties agree in writing.
- (e) The Parties will bear the costs of the mediator equally.

16.3 Parties to continue to perform

Where a Dispute arises, each Party must continue to perform its obligations under this Agreement (including, without limitation, the obligation on Council to make payments from the Funding to

DIPL so that DIPL can ensure all Construction Contractors performing works in relation to the Works are paid on time).

17. Default and Termination

17.1 Default

A Party is in **Default** if it fails to:

- (a) pay any monies due under this Agreement by the due date; or
- (b) comply with any of the other provisions of this Agreement.

17.2 Precondition

If a Party is in Default, the other Party may not terminate this Agreement for such Default nor institute any proceedings against the other Party for such Default before complying with the procedure in this clause 16.

17.3 Default Notice

- (a) If a Party is in Default (**Defaulting Party**), the other Party (**Non-Defaulting Party**) may serve a notice (**Default Notice**) on the Defaulting Party.
- (b) A Default Notice must:
 - (i) specify the Default; and
 - (ii) require the Defaulting Party to remedy the Default within a reasonable time (having regard to the Default), as specified in the Default Notice, which must be at least 30 days.

17.4 Termination

Without prejudice to any other rights and remedies available to the Non-Defaulting Party (including rights to sue for damages, specific performance or both), the Non-Defaulting Party may terminate this Agreement by notice in writing to the Defaulting Party if:

- (a) the Non-Defaulting Party has served a Default Notice;
- (b) the Defaulting Party has failed to:
 - (i) remedy the Default; or
 - (ii) provide a cure plan for remedying the Default to the Non-Defaulting Party's satisfaction (acting reasonably and without delay),
 within the time required by the Default Notice; and
- (c) the Default is material and is of a material obligation of the Defaulting Party.

18. Notices

18.1 Notice

A notice or other communication (**Notice**) connected with this Agreement has no legal effect unless it is in writing and:

- (a) delivered by hand at the address for service of the addressee;
- (b) sent by registered mail, postage prepaid, to the address for service of the addressee, if the address is in Australia and the Notice is being sent from within Australia;
- (c) sent by prepaid airmail to the address for service of the addressee, if the address is outside Australia or if the Notice is being sent from outside Australia; or
- (d) sent by email to the email address of the addressee.

18.2 When Notice is Deemed to be Served

Where the Notice is delivered or sent in a manner provided by this clause it is deemed given to and received by the Party to which it is addressed:

- (a) if delivered, upon delivery;
- (b) if mailed from within Australia to an address in Australia, on actual delivery to that address as evidenced by Australia Post documentation;
- (c) if mailed to an address outside Australia or mailed from outside Australia, on the fifth Business Day (at the address to which it is mailed) after posting;
- (d) if sent by email, before 4.00 pm on a Business Day at the place of receipt, on the day it is sent and otherwise on the next Business Day at the place of receipt.

18.3 Addresses for Service of Notices

The address for service and facsimile number for DIPL is:

Address: [insert]

Attention: [insert]

Email: [insert]

The address for service and facsimile number for Council is:

Address: [insert]

Attention: [insert]

Email: [insert]

A Party may change its address for service or email address by giving Notice of that change to the other Party.

18.4 Evidence of Service of Notices

A certificate signed by or on behalf of a Party giving a Notice by any lawyer, officer or employee of that Party stating the date on which that Notice was delivered or sent, is prima facie evidence of the date on which that Notice was delivered or sent.

18.5 Notices Given to More than One Party

If the Party to which a Notice is intended to be given consists of more than one person then the Notice is deemed given to that Party if given to any of those persons.

19. GST

- (a) Unless otherwise expressly stated, all prices or other sums payable as consideration to be provided under this Agreement are exclusive of GST. If GST is payable in respect of any GST Supply, the Recipient must pay the GST Supplier an additional amount equal to the GST payable in respect of that GST Supply.
- (b) DIPL must deliver a tax invoice or an adjustment note to Council before DIPL is entitled to a payment of an amount under this Agreement.

20. General Provisions

20.1 Representations and warranties

Each Party represents and warrants as at the time it executes this Agreement:

- (a) its execution and delivery of this Agreement has been properly authorised by all necessary corporate action; and
- (b) it has full corporate power and lawful authority to execute and deliver this Agreement and to perform or cause to be performed its obligations under this Agreement.

20.2 Governing law and jurisdiction

- (a) This Agreement is governed by and must be construed according to the Law applying in the Northern Territory of Australia.
- (b) Each Party irrevocably submits to the non-exclusive jurisdiction of the courts of the Northern Territory of Australia, and the courts competent to determine appeals from those courts, with respect to any proceedings that may be brought at any time relating to this Agreement.

20.3 Variations and waivers to be in writing

No variation, modification or waiver of any provision in this Agreement, nor consent to any departure by any Party from any such provision, will be of any effect unless it is in writing, signed by the Parties or (in the case of a waiver or a consent) by the Party giving it. Any such variation, modification, waiver or consent will be effective only to the extent to or for which it may be made or given.

20.4 Waiver

No failure, delay, relaxation or indulgence by any Party in exercising any right conferred on such Party by this Agreement will operate as a waiver of such right, nor will any single or partial exercise of any such right nor any single failure to do so, preclude any other or future exercise of it, or the exercise of any other right under this Agreement.

20.5 Severance

If at any time any provision of this Agreement is or becomes illegal, invalid or unenforceable in any respect under the law of any jurisdiction, that will not affect or impair:

- (a) the legality, validity or enforceability in that jurisdiction of any other provision of this Agreement; or
- (b) the legality, validity or enforceability under the law of any other jurisdiction of that or any other provision of this Agreement.

20.6 No representation or reliance

- (a) Each Party acknowledges that the other Party (or any Associate or person acting on that Party's behalf) has not made any representation or other inducement to it to enter into this Agreement, except for representations or inducements expressly set out in this Agreement.
- (b) Each Party acknowledges and confirms that it does not enter into this Agreement in reliance on any representation or other inducement by or on behalf of the other Party, except for representations or inducements expressly set out in this Agreement.

20.7 Costs

Except as otherwise provided in this Agreement, each Party must pay its own costs and expenses in connection with negotiating, preparing, executing and performing this Agreement.

20.8 Assignment

Neither Party may Assign any or all of its rights, interests or obligations under this Agreement except with the prior written consent of the other Party, such consent not to be unreasonably withheld or delayed.

20.9 Relationship

This Agreement does not create nor will this Agreement be construed as creating between each of the Parties any partnership, joint venture or fiduciary relationship whatsoever.

20.10 Parties to assist each other

The Parties will each cooperate with and provide all reasonable assistance to each other in order to progress their respective obligations under this Agreement, including providing relevant information, technical requirements and documents in their possession in relation to relevant aspects and requirements of the Works.

20.11 Entire agreement

This Agreement and the Funding Agreement constitute the entire agreement between the Parties as to the subject matter of this Agreement.

20.12 Conflict and precedence

If there is any conflict or inconsistency between the Funding Agreement and this Agreement, the terms of this Agreement will prevail over the terms of the Funding Agreement document to the extent of the conflict or inconsistency.

20.13 Counterparts

This Agreement may be executed in any number of counterparts and by the Parties on separate counterparts. Each counterpart constitutes the agreement of each Party who has executed and delivered that counterpart.

20.14 Consequential Loss

DIPPL shall have no liability to Council or any of its Associates whatsoever under or in connection with this Agreement for any delay to, loss of use, loss of production or other consequential loss or liability suffered or incurred by Council in connection with this Agreement, or the Works.

Executed by the Parties as an agreement.

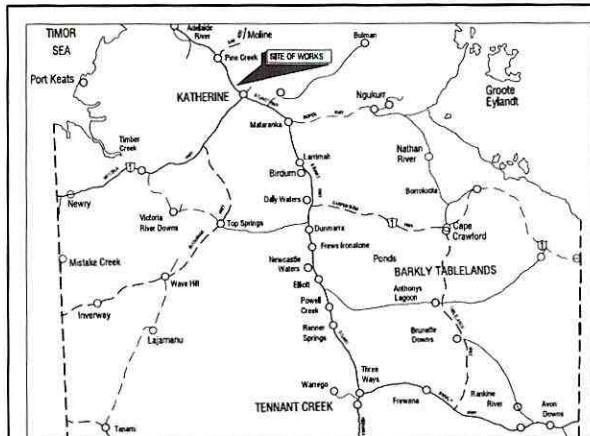
The COMMON SEAL of Katherine Town)
Council was hereto affixed in accordance with)
its Constitution on the day of)
..... 2020 in the presence)
of:	
.....
Mayor	Chief Executive Officer
.....
Fay Miller	Ian Bodill

Executed for and on behalf of The Northern)
Territory of Australia pursuant to a delegation)
under the <i>Construction Contracts Act</i> on)
.....(date):)
.....
Signature of witness	Andrew Kirkman
.....	
Print name of witness	

Schedule 1

Site Plan

DRAFT



LOCALITY PLAN
SCALE 1:10,000

WARNING

BWARE OF UNDERGROUND SERVICES

THE LOCATION OF UNDERGROUND SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT POSITION SHOULD BE PROVEN ON SITE. NO GUARANTEE IS GIVEN THAT ALL EXISTING SERVICES ARE SHOWN. THE LOCATION AND DEPTH OF ALL SERVICES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF WORK.

SCHEDULE OF PROJECT DRAWINGS

DRAWING NO.	DESCRIPTION
R20-1200	LOCALITY & ALIGNMENT PLAN, SCHEDULE OF DRAWINGS & SURVEY STATION LOCATIONS
R20-1201	BASES OF DESIGN
R20-1202	TYPICAL SECTIONS AND DETAILS
R20-1203	GUARDRAIL ARRANGEMENT
R20-1204	PLAN AND LONGSECTION - CH10 TO CH158,200
R20-1205	ROAD CROSS SECTIONS - CH10 TO CH175
R20-1206	ROAD CROSS SECTIONS - CH180 TO CH400
R20-1207	ROAD CROSS SECTIONS - CH410 TO CH528,200
R20-1208	BRIDGE ROAD SIGN AND LINE MARKINGS
R20-1209	PROTECTION WORKS PLAN
R20-1210	PROTECTION WORKS TYPICAL DETAILS
R20-1211	CLEANING AND RESTRICTIVE WORKS PLAN
R20-1212	STRUCTURAL SERVICES
R20-1213	GENERAL NOTES
R20-1214	GENERAL ARRANGEMENT DETAILS
R20-1215	PILE PLAN & DETAILS
R20-1216	PILE GENERAL ARRANGEMENT DETAILS
R20-1217	PILE CAP GENERAL ARRANGEMENT DETAILS
R20-1218	PILE BLADE WALL & HEADSTOCK GENERAL ARRANGEMENT DETAILS
R20-1219	PILE BLADE WALL & HEADSTOCK REINFORCEMENT DETAILS
R20-1220	ABUTMENT GENERAL ARRANGEMENT DETAILS - SHEET 1
R20-1221	ABUTMENT GENERAL ARRANGEMENT DETAILS - SHEET 2
R20-1222	ABUTMENT REINFORCEMENT DETAILS - SHEET 1
R20-1223	ABUTMENT REINFORCEMENT DETAILS - SHEET 2
R20-1224	PRECAST CONCRETE PLANK GENERAL ARRANGEMENT DETAILS
R20-1225	PRECAST CONCRETE PLANK REINFORCEMENT DETAILS
R20-1226	DECK GENERAL ARRANGEMENT DETAILS - SHEET 1
R20-1227	DECK GENERAL ARRANGEMENT DETAILS - SHEET 2
R20-1228	DECK REINFORCEMENT DETAILS
R20-1229	APPROACH SLAB

SCHEDULE OF STANDARD DRAWINGS

DRAWING NO.	DESCRIPTION
CS3200	STEEL BEAM GUARDRAIL WITH GATING TERMINALS
CS3201	CONNECTION OF GUARDRAIL WITH GATING TERMINALS TO BRIDGE CONCRETE BARRIER
CS3202	TYPICAL BRIDGE RAIL DETAILS
CS3204	NORTHERN TERRITORY BRIDGES STANDARD BAR PLATES
CS3205	NORTHERN TERRITORY BRIDGES STANDARD DATE PLATE
CS3300	LINE MARKING
CS3401	PANCREAS MARKINGS - CHEVRONS AND RPPMS - SHEET 1
CS3450	NTS BRANCHING GROUND JOINTLY FUNDED - ROADS
CS3500	FLOOD GAUGE POSTS

SURVEY CONTROL STATIONS

POINT	EASTING	NORTHING	LEVEL	DESCRIPTION
CRM ST/150001	204461.718	8424406.136	99.270	Plaque in concrete
ER01	204726.440	8422626.420	99.717	Star iron picket
ER02	205037.174	8422746.308	104.658	Star iron picket
ER03	204413.380	8422232.761	103.431	Star iron picket

NOTE: REFER ORIGINAL SURVEY (52554_180524.dwg) FOR MORE INFORMATION.

ALIGNMENT PLAN

SCALE A
NOTE: SURVEY CONTROL STATIONS / MARKERS ARE ALSO SHOWN ON THE PLANS AND LONGSECTION.

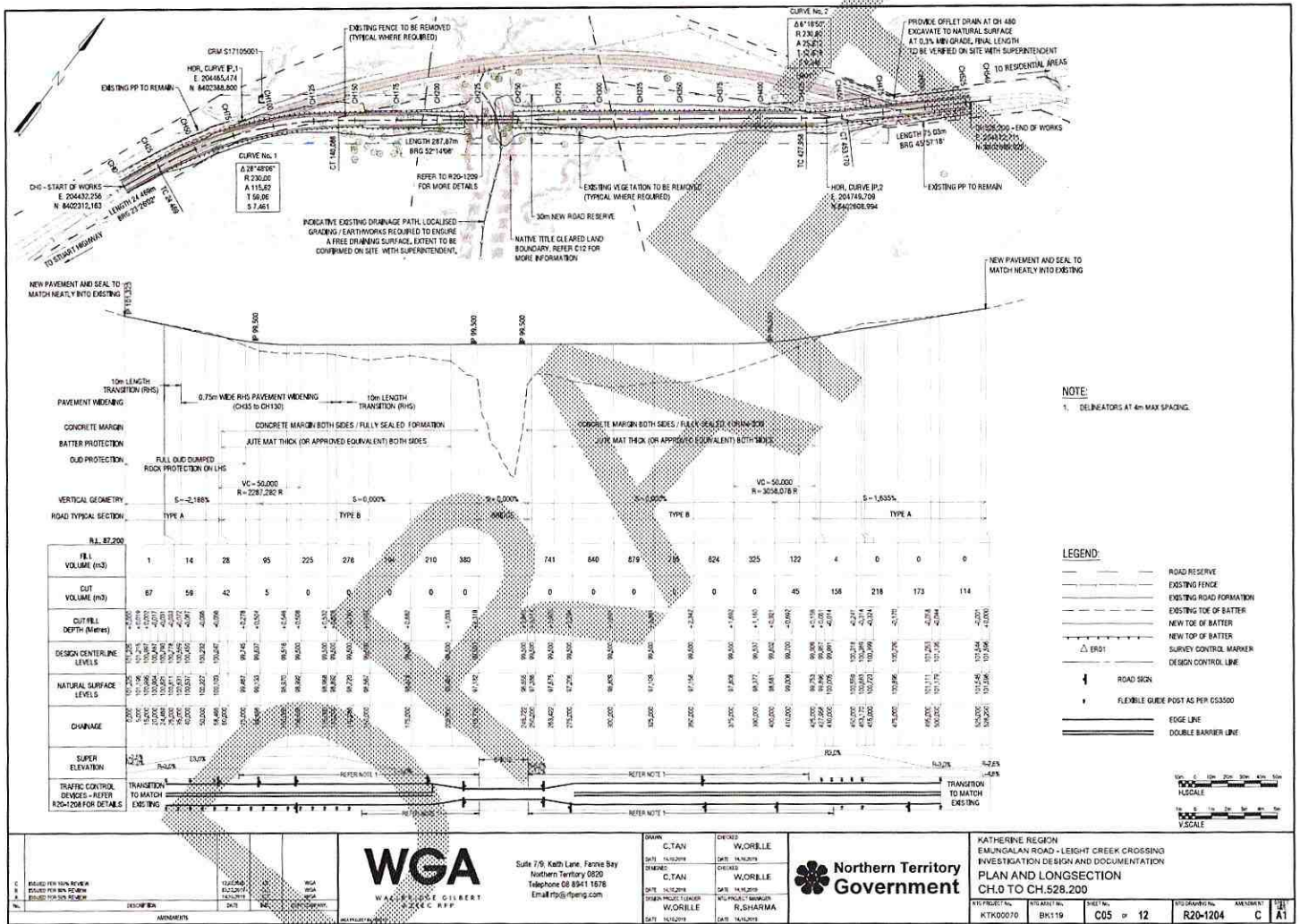
1:10,000
SCALE A

<p>5. REVIEWED FOR DESIGN REVIEW</p> <p>6. REVIEWED FOR CONSTRUCTION REVIEW</p> <p>7. REVIEWED FOR AS-BUILT REVIEW</p>		<p>WGA</p> <p>WAGGONER GILBERT</p> <p>WAGGONER GILBERT</p>		<p>Suite 7/9, Keith Lane, Fannie Bay</p> <p>Northern Territory 0820</p> <p>Telephone 08 8911 1678</p> <p>Email: info@wga.com.au</p>		<p>Northern Territory Government</p>		<p>KATHERINE REGION</p> <p>EMUNGALAN ROAD - LEIGHT CREEK CROSSING</p> <p>INVESTIGATION DESIGN AND DOCUMENTATION</p> <p>LOCALITY & ALIGNMENT PLAN, SCHEDULE OF DRAWINGS & SURVEY STATION LOCATIONS</p>		<p>PROJECT NO. RTK00070</p> <p>WORKSET NO. BK119</p> <p>SHEET NO. C01 of 1</p> <p>PROJECT NO. R20-1200</p> <p>REVISION NO. C</p> <p>SHEET NO. A1</p>	
--	--	--	--	---	--	---	--	---	--	--	--

Schedule 2

Drawings and Specifications

DRAFT



KATHERINE TOWN COUNCIL**REPORT**

NO : 13.11

FOLDER : LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING/REPORTS TO COUNCIL/INFRASTRUCTURE & ENVIRONMENT

MEETING : ORDINARY COUNCIL MEETING – (23/06/2020)

REPORT TITLE : DP20-0046 POWER WATER SEWERAGE EASEMENT

AUTHOR : Janette Crowhurst, Project Coordinator

ATTACHMENT/S : 1. SIGNED DP20-0046
2. FORM 51 – CREATION OF EASEMENT IN GROSS
3. SEWERAGE EASEMENT SURVEY PLAN

PURPOSE OF REPORT

To seek Council approval to authorise the Mayor and CEO to affix the common seal and sign the Creation of Easement in Gross (Form 51) pertaining to this report.

This is in relation to DP20-0046 Lot 03177 Town of Katherine, 11 Murray Street, Katherine South Katherine Showgrounds. STAGE 1- ALTERATION TO CAMP DRAFT, RODEO ARENA AND NEW AMENITIES.

BACKGROUND

As part of DP20-0046, Schedule of Condition, Conditions Precedent, Section 1:

Prior to the endorsement of plans and prior to commencement of works (including site preparation), the developer must address the matters identified in the Power and Water Corporation's advice to the consent authority of 20 December 2019 relating to registration of easements (sewer) and easement encroachments to Power and Water Corporation's requirement, to the satisfaction of the consent authority.

Power and Water seek endorsement of the Sewerage Easement Plan: 20/11418/1 under regulations and Form 51 annexured in this report. This form gives Power and Water authority to undertake works and inspections in the area of this easement. A survey plan of the location of the required easement is shown in the attachment.

By having this form signed by the required parties with a Common Seal endorsement will ensure Katherine Town Council is compliant with the Development Permit DP20-0046.

Report

In order to be compliant with the Development Permit DP20-0046, Schedule of Conditions, Condition Precedent 1, Council will need to affix the common seal and authorise the Mayor and CEO to sign the Agreement.

OFFICER RECOMMENDATION

That it be recommended to Council to:

1. Authorise the Mayor and CEO to affix the common seal and sign the Agreement on Form 51, Creation of Easement and Gross.

A handwritten signature in black ink, appearing to be 'Ian Bodill', written in a cursive style.

Ian Bodill
CHIEF EXECUTIVE OFFICER

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - sections 54 and 55

DEVELOPMENT PERMIT

DP20/0046

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 02999
Lot 03177
Town of Katherine
59 VICTORIA HWY, KATHERINE SOUTH
11 MURRAY ST, KATHERINE SOUTH

APPROVED PURPOSE

To use and develop the land for the purpose of alterations and additions to existing leisure and recreation (including new amenities block and car park) within a defined flood area in two stages, in accordance with the attached schedule of conditions and the endorsed plans.

VARIATIONS GRANTED

Clause 6.5.3 (Parking Layout) of the Northern Territory Planning Scheme.

BASE PERIOD OF THE PERMIT

Subject to the provisions of sections 58, 59 and 59A of the *Planning Act 1999*, this permit will lapse two years from the date of issue.



Suzanne Philip
2020.02.05
10:43:17
+09'30'

SUZANNE PHILIP
Delegate
Development Consent Authority

05 February 2020

DEVELOPMENT PERMIT

DP20/0046

SCHEDULE OF CONDITIONS

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to commencement of works (including site preparation), the developer must address the matters identified in the Power and Water Corporation's advice to the consent authority of 20 December 2019 relating to registration of easements (sewer) and easement encroachments to Power and Water Corporation's requirements, to the satisfaction of the consent authority.
2. Prior to the commencement of works, consent to use Lot 2999 must be formalised with the Crown Land Estate Division, Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority.
3. Prior to the commencement of works, a Type 2 Erosion and Sediment Control Plan (ESCP) must be developed in accordance with the Department of Environment and Natural Resources ESCP Standard Requirements 2019 available at <https://nt.gov.au/environment/soil-land-vegetation>. The ESCP must be developed and/or certified by a Certified Professional in Erosion and Sediment Control (CPESC) to the satisfaction of the consent authority. The ESCP should be submitted for acceptance prior to the commencement of any earth disturbing activities (including clearing and early works) to Development Assessment Services via email: das.ntg@nt.gov.au.
4. Prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into the Katherine Town Council and Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics and Crown Land Estate Division, Department of Infrastructure, Planning and Logistics', stormwater drainage system shall be submitted to and approved by the Katherine Town Council, Transport and Civil Services Division and Crown Land Estate Division, to the satisfaction of the consent authority.

GENERAL CONDITIONS

5. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage and electricity facilities to the development shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
7. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.
8. Any proposed work (including the provision or connection of services) within, or impacting upon the Victoria Highway or Murray Street road reserves shall be in accordance with the standards and specifications of the Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics (for Victoria Highway) and Katherine Town Council (for Murray Street).

Design documents must be submitted to the Director Corridor Management, Transport and Civil Services Division (for Victoria Highway) and Katherine Town Council (for Murray Street) for Road Agency Approval and no works are to commence prior to approval and receipt of a "Permit to Work Within a Road Reserve".

9. The loads of truck entering and leaving the site are to be constrained in such a manner as to prevent the dropping or tracking of materials onto streets. This includes ensuring that all wheels, tracks and body surfaces are free of mud and other contaminants before entering onto the sealed road network. Where tracked material on the road pavement becomes a potential safety issue, the developer will be obliged to sweep and clean the material off the road, to the requirements and satisfaction of the Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics.
10. Where unfenced, the Victoria Highway frontage is to be appropriately fenced in accordance with Transport and Civil Services Division of the Department of Infrastructure, Planning and Logistics standards and requirements.
11. Upon completion of any works within or impacting upon the Victoria Highway road reserve, the road reserve shall be rehabilitated to the standards and requirements of Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics.
12. Any floodlighting or security lighting provided on site is to be shielded in a manner to prevent the lighting being noticeable or causing nuisance to Victoria Highway traffic, to the requirements of Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics.
13. The finish of any Prime Identification sign, if erected, shall be such that, if illuminated, day and night readability is the same and is of constant display (i.e. not flashing or of variable message). The sign shall be positioned: (i) so as not to create sun or headlight reflection to motorists; and (ii) be located entirely (including foundations and aerially) within the subject lot, to the requirements of Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics.
14. Stormwater is to be collected and discharged into the drainage network to the technical standards of and at no cost to Katherine Town Council and Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics (as the case may be), to the satisfaction of the consent authority.
15. All works relating to this permit must be undertaken in accordance with the endorsed Type 2 Erosion and Sediment Control Plan (ESCP) to the requirements of the consent authority. Should the endorsed Type 2 Erosion and Sediment Control Plan (ESCP) need to be amended, the revised ESCP must be developed and/or certified by a Certified Professional in Erosion and Sediment Control (CEPSC) to the satisfaction of the consent authority. The revised ESCP should be submitted for acceptance to Development Assessment Services via email: das.ntg@nt.gov.au.
16. All reasonable and practicable measures must be undertaken to prevent: erosion occurring onsite, sediment leaving the site, and runoff from the site causing erosion offsite. Appropriate erosion and sediment control measures must be effectively implemented throughout the construction phase of the development (including clearing and early works) and all disturbed soil surfaces must be satisfactorily stabilised against erosion at completion of works, to the satisfaction of the consent authority. For further information refer to Note 1 below. At completion of works, clearance should be sought from the Department of Environment and Natural Resources regarding satisfactory implementation of permanent erosion and sediment control measures and

site stabilisation. To arrange a clearance site inspection, email the Land Development Coordination Branch at: DevelopmentAssessment.DENR@nt.gov.au

17. Before the use/occupation of the development starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the consent authority.

NOTES

The Power and Water Corporation (PWC) advises:

- That the Water and Sewer Services Development Section (waterdevelopment@powerwater.com.au) and Power Network Engineering Section (powerdevelopment@powerwater.com.au) should be contacted via email a minimum of 1 month prior to construction works commencing in order to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure
- That full lot fire coverage cannot be achieved from existing hydrants and internal firefighting arrangements must therefore be made to the satisfaction of NT Fire and Rescue Service. An internal break tank may be required for firefighting as direct pumping for PWC water mains is not permitted.

Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics advises that vehicle access to the development is restricted to existing accesses only with no additional access (including temporary construction access) from the Victoria Highway permitted.

Information regarding erosion and sediment control can be obtained from the IECA Best Practice Erosion and Sediment Control 2008 books available at www.austieca.com.au and the Department of Environment and Natural Resources ESCP Standard Requirements 2019 and Land Management Factsheets available at <https://nt.gov.au/environment/soil-land-vegetation>. For further advice, contact the Land Development Coordination Branch: (08) 8999 4446.

Land Title Act
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

Commissioner of Territory Revenue use only

E	G	No:
<p>IMPORTANT NOTICE</p> <p>Please Note Privacy Statement Overleaf</p>		

--

**CREATION OF
EASEMENT IN GROSS**

The owner of the land grants to the person(s) specified below the easement for the value described below subject to the conditions set out on the back page. (NOTES 1 – 3)

Register	Volume	Folio	Location	Lot Description	Plan	Unit
CT	669	332	Town of Katherine	Lot 3177	S2000/165	

(NOTE 4)

Easement	Sewerage Easement Plan: 20/11418/1
----------	---

(NOTE 5)

Person(s) to whom granted	Power and Water Corporation
---------------------------	-----------------------------

(NOTE 6)

Value (GST inclusive)	Nil	GST Amount	Nil
-----------------------	-----	------------	-----

(NOTE 7)

<p>SIGNED by the Owner</p> <p>The Common Seal of the Katherine Town Council was hereunto affixed in the presence of :</p> <p>_____ Signature of IAN MALCOLM BODILL</p> <p>_____ Full Name and Title IAN MALCOLM BODILL, CHIEF EXECUTIVE OFFICER</p> <p>_____ Signature of CHRISTINA FAY MILLER</p> <p>_____ Full name and Title CHRISTINA FAY MILLER, MAYOR OF KATHERINE</p> <p>on (Date) <u>23 June, 2020</u></p>	<p>SIGNED by the person(s) receiving the benefit of the easement</p> <p>Executed for and on behalf of the Power and Water Corporation by its Attorney pursuant to Power of Attorney No. 355672 dated 13 March 2017 in the presence of:</p> <p>_____ Signature of General Counsel (Attorney)</p> <p>LUCIA KU Name of Attorney (Printed)</p> <p>WITNESS:</p> <p>_____ Signature of Qualified Witness</p> <p>_____ Full name and Qualification of Witness GPO Box 1921, Darwin, NT 0801 Address of Witness on (Date) _____</p>
--	---

(NOTE 8)

CONSENT OF REGISTERED MORTGAGEES (NOTE 9)

Instrument type:	Instrument type:
Instrument No:	Instrument No:
Name of Parties	Name of Parties:
I the registered proprietor of the interest shown above consent to the registration of this instrument.	I the registered proprietor of the interest shown above consent to the registration of this instrument.
Signed:	Signed:
(Date):	(Date):
In the presence of:	In the presence of:
Name of Witness:	Name of Witness:
Address or Telephone No.:	Address or Telephone No.:

CONDITIONS (NOTE 5)**SCHEDULE OF NOTES**

1. This form must be used for a Grant of Easement in Gross. For other easements like Access Easements use Form 52.
2. This form may be lodged as an original only and must be typed or completed in biro, and must show the imprint of the Commissioner of Territory Revenue. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties.
3. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
4. Volume and Folio references must be given together with complete parcel description. If a certificate as to title has been issued it must be produced.
5. A summary of the easement (ie. "sewerage easement"), and a survey plan must be annexed. If the intention is to utilise the easements described in the *Law of Property Act* then the precise descriptive words should be used. For easements not utilising the *Law of Property Act* descriptions the panel conditions above must be completed.
6. Name only (ie. Northern Territory of Australia, Power and Water Corporation, Darwin City Council or XYZ Corporation Pty. Ltd.).
7. Set out the value of the easement inclusive of GST. For the GST amount, if the easement is subject to the margin scheme and the GST amount is unknown insert "margin scheme" in the box provided.
8. Persons who may witness this document are a Commissioner for Oaths, a member of the Legislative Assembly, a legal practitioner within the meaning of the *Legal Profession Act*, a person holding office under the *Supreme Court Act*, the *Justices Act*, the *Local Court Act* or the *Registration Act*, a member of the Police Force, a person licensed as a conveyancing agent or real estate agent under the *Agents Licensing Act*, a Notary Public and any other person approved by the Registrar-General.

A witness to an instrument executed by an individual must first:

- take reasonable steps to ensure that the individual is the person entitled to sign the instrument;
- have the individual execute the document in the presence of the witness;
- not be a party to the instrument; and
- if witnessing more than one signature, clearly state that he/she has witnessed more than one signature. (ie I have witnessed the two signatures appearing above.

After signing, witnesses must legibly write, type or stamp their names and contact address or telephone number below their signature.

For a corporation, an instrument must be executed in a way permitted by law or sealed with the corporation's seal in accordance with the *Law of Property Act*, Section 48.

For witnessing of instruments executed outside the Northern Territory refer to Schedule 1 of the *Land Title Act* and the Registrar-General's Direction.

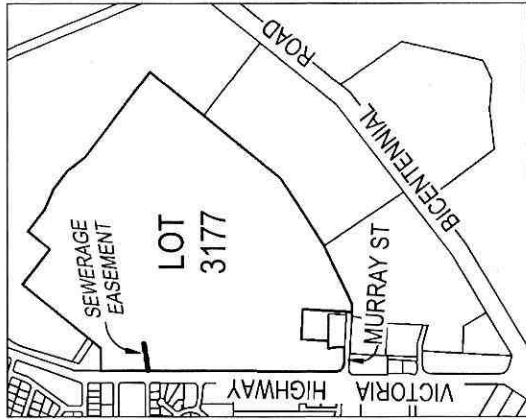
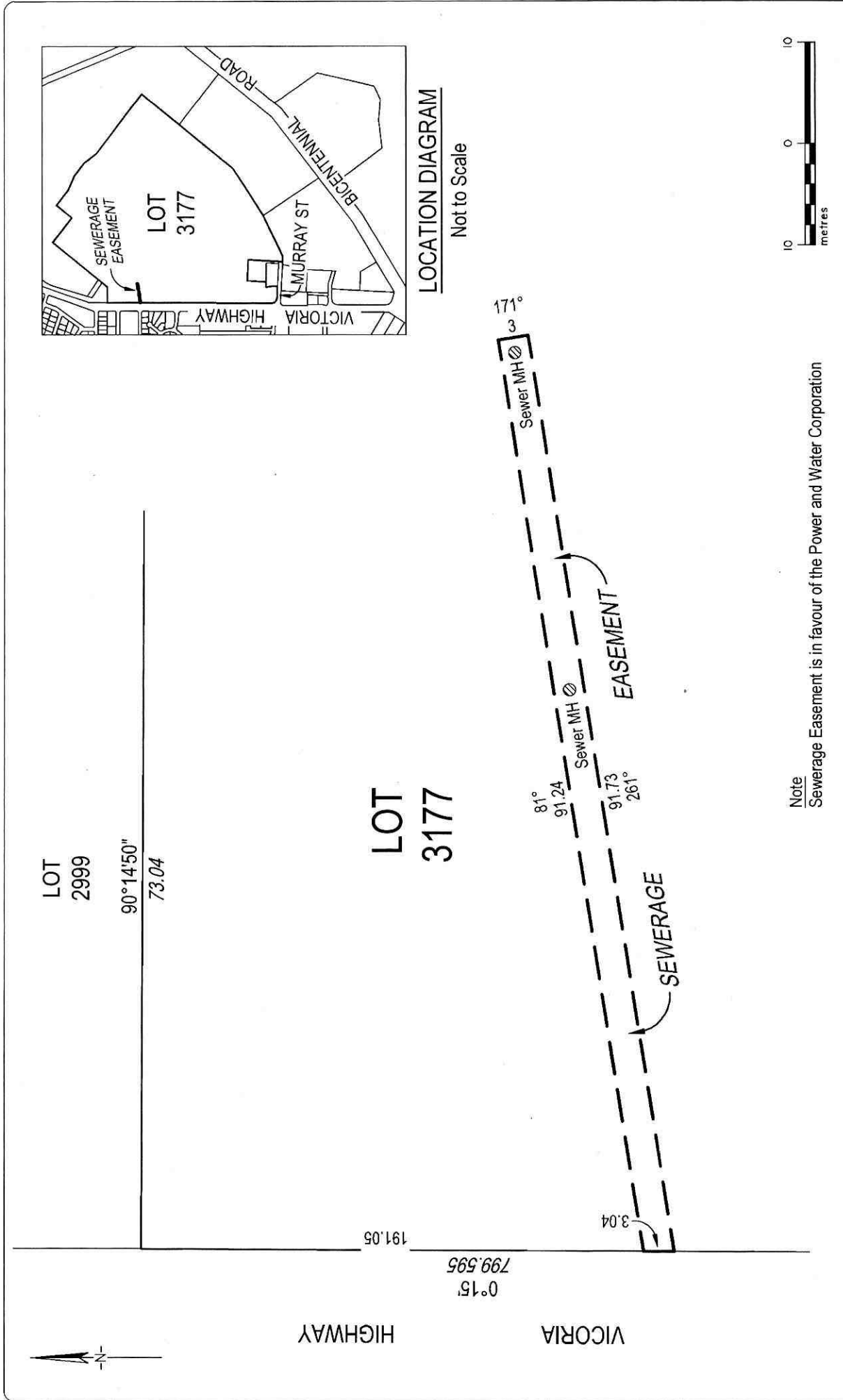
9. The instrument of Easement in Gross must include the consents of all registered mortgagees of the lot burdened by the easement in gross.

PRIVACY STATEMENT – LAND REGISTER FORMS

The Registrar-General's Office is authorised by the *Land Title Act* to collect the information on this form for the establishment and maintenance of the Land Register, which is made available for search by any person, anywhere, including through the Internet, upon payment of a fee. The information is regularly provided to other NT Government agencies, the Australian Valuation Office, local governments, the Australian Bureau of Statistics, the Australian Taxation Office or other Commonwealth Agencies as required or authorised by law, and some private sector organisations for conveyancing, local government, valuation, statistical, administrative and other purposes. The NT Government also uses the information to prepare and sell or licence property sales reports to commercial organisations concerned with the development, sale or marketing of property.

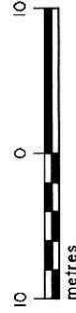
Failure to provide the information in full or in part may prevent your application or transaction being completed.

Your personal information provided on this form can be subsequently accessed by you on request. If you have any queries please contact the Deputy Registrar-General on 8999 5318.



LOCATION DIAGRAM
Not to Scale

Note
Sewerage Easement is in favour of the Power and Water Corporation



<p>SURVEY & PLANNING CONSULTANTS 10 HARVEY STREET DARWIN NT 0801 PH. (08) 8981 2494 FAX. (08) 8981 5205 darwin@eja.com.au</p>	<p>LOT 3177 TOWN OF KATHERINE SEWERAGE EASEMENT</p>	<p>Scale: 1:500 (A4) Datum: S2000/165 Licensed Surveyor: Date: 16/3/2020 Drawn by: SH Date: 24/2/2020 Cad File: 11418-1.DWG</p>
<p>Client: POWER AND WATER CORPORATION</p>	<p>Drawing No: 20/11418/1</p>	

KATHERINE TOWN COUNCIL**REPORT**

NO : 14.1

FOLDER : LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING/REPORTS TO COUNCIL/CHIEF OPERATIONS OFFICER

MEETING : ORDINARY COUNCIL MEETING – (23/06/2020)

REPORT TITLE : MINUTES OF THE AUDIT COMMITTEE

AUTHOR : JHERRY MATAHELMUAL, EXECUTIVE ASSISTANT

ATTACHMENT/S : 1. MEETING MINUTES OF AUDIT COMMITTEE, 2 APRIL 2020

PURPOSE OF REPORT

To present the minutes of the Audit Committee.

BACKGROUND

The Audit Committee Meeting was held on the 2 April 2020

OFFICER RECOMMENDATION

That it be recommended to Council to:

1. Receive and note the minutes of the Audit Committee meeting.


Ian Bodill
CHIEF EXECUTIVE OFFICER



**AUDIT COMMITTEE MEETING
HELD AT THE CIVIC CENTRE – KATHERINE
Thursday, 2 April 2020**

MINUTES

1 PRESENT

CHAIRPERSON : - Mr Ian Swan (Via Zoom)

MEMBERS : - Mayor Fay Miller
- Mr Lokesh Anand – Independent (Via Zoom)
- Deputy Mayor Jon Raynor
- Alderman John Zelle

OFFICERS : - Mr Ian Bodill (CEO)
- Ms Claire Johansson (COO)
- Ms Donna Jones (Finance Manager)
- Mr Jherry Matahelumual (EA/Minutes Taker)

2 OPENED : The meeting was opened at 12.10 pm by the chair Mr Ian Swan

3 APOLOGIES : Nil

4 DISCLOSURE
OF INTEREST : Nil

5 CONFIRMATION
OF MINUTES : MOVED : Deputy Mayor Jon Raynor
SECONDED : Mr Lokesh Anand

THAT the minutes of the Audit Committee Meeting held on Tuesday 19 November 2019 be confirmed as a true and accurate record.

CARRIED 5/0

6 BUSINESS
ARISING : Nil

7 ITEMS FOR
DISCUSSION : **7.1 2018/2019 AUDIT AND FINANCIAL POSITION**
- Mr Swan advised that 2018/2019 Audit and Financial Position had been discussed in November with Collin James and agreed.

7.2 RESERVES

- COO Johansson advised that the reserves were discussed in November's 2019 Meeting and a report had been submitted to the Council.
- Mr Swan mentioned that following the briefing from Colin James, the committee recommended to the Council to nominate reserves for the unrestricted reserves fund of \$7,339,998..
- COO Johansson confirmed that the report including the allocation of restricted funds for the unrestricted reserves had been presented to the Council at a meeting on the 10 December 2019.



**AUDIT COMMITTEE MEETING
HELD AT THE CIVIC CENTRE – KATHERINE
Thursday, 2 April 2020**

MINUTES

**7.3 INTRODUCTION OF THE REVISED LOCAL GOVERNMENT ACT
AND DRAFT AMENDMENTS TO THE REGULATIONS
(FINANCIAL CHANGES)**

- CEO Bodill mentioned that the Local Government Act 2019 and Regulations have been discussed by Local Government Association of the NT (LAGANT). Majority Members have requested to postpone the commencement of Local Government Act due to the current situation of COVID-19 outbreak.
- COO Johansson mentioned that the Council will prepare the submission in relations to the changes of the regulation and send a draft to the chair.
- Mayor Miller informed that we have seen no major changes in respect of the financials.
- CEO Bodill added that another change that may come into place is a recommendation from the DLGANT to conduct training which is a Compulsory Requirement for all Elected Members to attend.

**7.4 DRAFT SUBMISSION REGARDING THE DRAFT AMENDMENTS
TO THE REGULATIONS (FINANCIAL)**

- COO Johansson mentioned that a draft submission regarding the draft amendments to the regulations (financial) will be made available.
- Mayor Miller advised that Council will need to respond to mandatory training of the Elected Members and put the draft for public consultation.

7.5 AUDIT COMMITTEE WORK PROGRAM

- Mayor Miller suggested that the draft budget will be discussed during the Ordinary Meeting of Council in April and will then be open for public consultation until the end of May.
- COO Johansson reminded that our budget will be included in the Municipal Plan so it planned to adopt the plan in June after the public consultation. Public Consultation is for 21 days.
- COO Johansson advised that the Annual Municipal Plan needed to be adopted before 30 June (according to the new regulations) and a copy to be with the Minister by 15 November.
- Mr Swan suggested some changes in the work program to fit with the Council's plans, meetings will now be amended to March, June and September for 2020 and 2021. The dates of the meetings in 2020 are 11 June, 10 September and 11 November.
- CEO Bodill informed that the Special Meeting with Council about the Municipal Plan can be scheduled for the 15 June 2020. A special meeting will also be conducted on 12th November 2020



**AUDIT COMMITTEE MEETING
HELD AT THE CIVIC CENTRE – KATHERINE
Thursday, 2 April 2020**

MINUTES

and the budget audit will be submitted to the Minister on the 15th November 2020.

- CEO Bodill requested the Work Program be edited into a better working document.
- Mr Swan requested Jherry to amend the draft of the work program.

- 8 **MEETING** : Meeting was closed at 1.10 pm
CLOSED
- 9 **NEXT MEETING** : Next meeting is on the 11th June 2020

Confirmed

KATHERINE TOWN COUNCIL**REPORT**

NO : 14.2

FOLDER : LOCAL GOVERNANCE/ORDINARY COUNCIL MEETING/REPORTS TO COUNCIL/INFRASTRUCTURE & ENVIRONMENT

MEETING : ORDINARY COUNCIL MEETING – (23/06/2020)

REPORT TITLE : SHOWGROUNDS AND MULTI-PURPOSE CENTRE ADVISORY COMMITTEE MINUTES

AUTHOR : Holly Mutton, Infrastructure & Environment Administration Officer

ATTACHMENT/S : 1. SHOWGROUNDS AND MULTI-PURPOSE CENTRE ADVISORY COMMITTEE MINUTES

PURPOSE OF REPORT

To present the minutes of the Showgrounds Advisory Committee.

BACKGROUND

The Showgrounds Advisory Committee met on the following date:

9 June 2020

Copies of the minutes are attached.

OFFICER RECOMMENDATION

That it be recommended to Council to:

1. Receive and note the minutes of the Showgrounds and Multi-Purpose Advisory Committee meeting.


Ian Bodill
CHIEF EXECUTIVE OFFICER

MINUTES

1. WELCOME

Meeting opened at 5.28pm.

In Attendance:

Alderman Clark	Chair KTC Elected Member
Alderman Gazey	KTC Elected Member
Rosemary Jennings	KTC Executive Manager – Corporate & Community Development
Brendan Pearce	KTC Executive Manager – Infrastructure & Environment
Elke Stegemann	NT Appaloosa & Western Performance Club - President
David Flood	Blue Eagle Mau Tai – Representative
Cathy Highet	Katherine & District Show Society – President
Mark Robertson	Katherine Dirt Kart Club (KDKC)
Sonya Farley	Katherine Scout Group – Group Leader
Matthew Harris	Katherine Turf Club
Anna Kerwin	Australian Stock Horse Society (ASHS) – Treasurer

2. APOLOGIES

Ian Bodill	Chief Executive Office
Claire Johannson	Chief Operating Officer
Vicki Williams	Disability Access Representative
Kylie Leonhardt	Australian Stock Horse Society (ASHS)

Holly Mutton

Minute taker: Infrastructure and Environment Administration Officer

3. CONFIRMATION OF PREVIOUS MINUTES

MOVED: Cathy Highet / Anna Kerwin

That the minutes from the Katherine Showgrounds and Multi-Purpose Advisory Special Committee meeting held on 4 February 2020 be confirmed as a true and accurate record.

CARRIED: 11 / 0

4. BUSINESS ARISING FROM PREVIOUS MINUTES

- Boundary fence is damaged in multiple places
- Sign Code specifications discussed
- Unloading ramp Issues with the turnaround have been rectified, change of scope final details have been worked out
- Oval fence where horses warm up is too low however there is no legal specifications
- Caretaker eliminate a lot of problems and issues at the grounds, questions of the role of the Caretaker and location and when this will be finalised

5. OTHER BUSINESS

5.1

- Groups wanting to seek funding must let Council know prior, mainly for infrastructure upgrades
- Some funding requirement a lease agreement or permanent location lease

MINUTES

5.2

- Each of the groups on the Committee have in place their COVID 19 management plans or currently in the process of having these approved.
- It is now a part of the hirer agreement and for hirers to be in touch with the KTC Customer Service team to supply their plans. KTC to assure that the facilities are available for them to be compliant

5.3

- Construction work is still taking place on the ablution block. Contractor has started tiling and there is around 3 weeks or work to go. Electrical works are continuing
- Remote Civil have had site visits and will be commencing shortly
- Alignment of the road and fencing is now pegged with survey stakes
- As part of the Development Approval Condition, Council is required to have an Erosion and Sediment Control Plan which has added to the cost of the project
- Road shaker constructed to drop the dust prior to entering the road
- 10-week construction program for the road construction with Remote Civil
- Silt fence to be installed at various locations
- Tyre fire remediation KTC has restarted the process to remediate the site in accordance with the requirements of the NT EPA.
- KTC establishing a cell at the Waste Management Facility and relocate the contaminated soil by October 2020. Once this is completed it will need to be signed off.

6. GENERAL BUSINESS

- The operations of the sprinkler system have not been consistent
- Discussion was held in relation to the laydown area and how it could be used for a possible parking area after. The laydown area will be located near the automatic gate near the campdraft area. The Contractor is in control of the construction site and we cannot allocate an area.
- No big show this year. Katherine Show will now be a virtual show and hopefully they will be bigger next year
- August 15 is the scheduled date for the races. Classed as a major event and still finding out more information regarding the Covid-19 regulations
- AFL is stating soon, and it is scheduled for one of their rounds on the 15th August which is also the same date as the races. Normally they block that weekend out as a bye. Can not have 2 big events at the same area especially with the Covid-19 requirements.
- Turf Club Hire Agreement is it in place

7. DATE OF NEXT MEETING

Tuesday 4 August 2020 at the Civic Centre commencing at 5:30pm

8. MEETING CLOSE

The meeting was closed at 6:04pm.

Alderman Lis Clark
Chair



KATHERINE
TOWN COUNCIL

115 KATHERINE SHOWGROUNDS AND MULTI-PURPOSE ADVISORY COMMITTEE
MEETING

TUESDAY, 9 June 2020 AT 5.30PM

MINUTES

Action List

Action	Target Date	Responsibility	Status
Showgrounds Boundary Fence Repairs		KTC	
Unloading Ramp Design		KTC	
Caretaker Role		KTC	
Caretaker Location		KTC	
Removing of Contaminated Soil	October 2020	KTC	
Sprinkler System Repairs		KTC	
AFL Round for August 15 th (potential clash with race meeting).		KTC	
Katherine Turf Club Hire Agreement		KTC	
Road Civil – Road Construction August 15 (Race Meeting)	June 2020	KTC	