

Ordinary Meeting of Council Minutes

**Tuesday 25 June 2019
Ordinary Meeting 6.00 PM**

Council Chambers, Civic Centre,
Stuart Highway, Katherine

**MINUTES OF THE ORDINARY MEETING OF KATHERINE TOWN COUNCIL HELD
AT THE KATHERINE CIVIC CENTRE TUESDAY 25 June 2019**

1. WELCOME TO 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. PRESENT

Mayor Miller Fay Miller
Deputy Mayor Lis Clark
Alderman Peter Gazey
Alderman Toni Tapp Coutts
Alderman Matt Hurley
Alderman Jon Raynor
Alderman John Zelley

In attendance

Mr Robert Jennings – Chief Executive Officer (CEO)
Mrs Claire Johansson – (COO)
Mr Peter Reeve – Executive Manager Infrastructure & Environment (XIE)
Ms Sue Crammond Minute Taker (EA)
Ms Taylor Revitt – Communications Officer (CO)

2 x members of the Katherine Community
1 x member of the Media

4. APOLOGIES AND LEAVE OF ABSENCE

Apologies: Ms Rosemary Jennings – (XCCD)

Leave of Absence: NIL

5. CONFIRMATION OF PREVIOUS MINUTES

File: Local Governance / Council Meetings / Confirmation of Previous Minutes

MOVED: Tapp Coutts / Clark

5.1 That the Minutes of the Ordinary Meeting of Council held on the 28 May 2019 be confirmed as true and accurate.

CARRIED 7 / 0

6. **BUSINESS ARISING FROM PREVIOUS MINUTES**

Alderman Gazey – I have not supplied my list of activities to the EA for inclusion.
My apologies.

Alderman Raynor – Hydraulic Spills – I would like to see a push for development of policy.

7. **DISCLOSURE OF CONFLICT OF INTEREST**

File: Local Governance / Council Meetings / Elected Member Disclosure of Interest and Declared Interest

Mayor Miller / CEO – The draft Local Government Bill we have viewed will provide tighter parameters around where an Elected Member has a conflict of interest.

8. **MAYORAL BUSINESS TO BE CONSIDERED**

File: Local Governance / Council Meetings / Mayoral Business to be considered.

29th May – 25th June 2019

Sports Grounds and Showgrounds Project Meeting x 2

CBD Project Meeting x 2

COTA NT Seniors Expo – Palmerston

Junk Festival – Lindsay Street Complex

ABC Radio Interview x 2

8 Ball Championships – Welcome and Open

Elected Members Information Session x 3

Special Meeting of Council – Municipal Plan

Memorial Ceremony – Jack Russell

Green Snaps – Welcome and Open

Katherine Times interview – re CBD

Senator Sam MacMahon – lunch

Katherine Debutante Ball

Special meeting of Council – re Hot Springs tender

Meeting with resident x 4

ABC Grassroots interview

Meeting with Commander Hebb & Commissioner Beer

Operation Walker briefing – Katherine Police Station

Somerville Annual Morning Tea

Katherine Men's Shed visit

Katherine Beat Festival – Lindsay Street Complex

Draft Local Government Bill presentation to Elected Members

LGANT Executive teleconference

Valuer General's Department presentation

Meeting with Lendlease

Draft Local Government Bill presentation

Open Forum

Ordinary Council Meeting

OPERATION WALKER

Katherine Police Auxiliaries and 5 members of Katherine Neighbourhood Watch participated in a community awareness exercise in selected areas in Katherine East on Wednesday evening 19th June. The purpose of the exercise was to talk to residents in their homes to raise awareness of safety in the home and throughout the area. During this time the mounted police were also riding their horses throughout Katherine East – in addition to 2 Public Housing Officers and 3 Katherine Town Council rangers – Andrew Wilson, Scott Mannion and Christoph Erler - also visited throughout the area to address local issues including animal welfare.

Operation Walker was received very well by the community and it is hoped that a similar exercise can be implemented in another location in Katherine in the not too distant future.

Well done to the organisers of this event.

9. CORRESPONDENCE AND DOCUMENTS TABLED

20 June 2019 - An Open letter from the Katherine Town Council to the Territory Government – Response to the "*Declaration of reserved blocks under the Petroleum Act in accordance with the Hydraulic Fracturing Inquiry's Recommendation*".

21 June 2019 – Response from Chief Minister's Office, acknowledging Council's submission.

10. PETITIONS

NIL

11. QUESTIONS

File: Local Governance / Council Meetings / Questions

11.1 With Notice

NIL

11.2 Without Notice

NIL

12. NOTICE OF MOTION

NIL

13. REPORT OF OFFICERS

13.1 MONTHLY REPORT OF THE CHIEF EXECUTIVE OFFICER – MAY 2019

File: Local Governance / Council Meetings / Chief Executive Officer Report

MOVED: Hurley / Clark

Alderman Tapp Coutts – Good to see we can remove the single use plastics action item from the highlights table. On viewing the policy, it looks likely to be a good one that has been developed with a view to looking after our environment.

Mayor Miller – And from the 26 March item on Library computers can be removed. However, the Memorial Cemetery items which is six months old could do with being furthered to policy development.

Alderman Clark – I believe Council used to hand out guidelines a while ago. Have they gone by the wayside?

Alderman Tapp – Coutts – There may have been basic guidelines. A flyer was provided to the local funeral directors.

CEO – We have made good progress on approximately twenty action items as stated in the report. Now that those have been further, we can concentrate on those that remain.

Alderman Tapp Coutts – Can we please check the Act on the need to report Complaints.

That it be recommended to Council:

That the Chief Executive Officer Report for the month of May 2019 be received and noted.

CARRIED: 7 / 0

13.2 MONTHLY REPORT FOR CORPORATE AND COMMUNITY DEVELOPMENT – MAY 2019

File: Local Governance / Council Meetings / Corporate and Community Services Reports

MOVED: Hurley / Tapp Coutts

Mayor Miller – Communications and consultations. This is not happening as well as it could. Can we check our lines of communications as there were two Edith Farms residents who should have been notified of the arrangements made for these residents in regard to their waste disposal options. It seems odd that they were unaware of what Council had put in place.

CEO – Some residents clearly were notified. This was evidenced by the fullness of the bin on Council grounds. However, we will look into the communication further.

Mayor Miller – VIC 939% increase in visitors? Is that accurate? Perhaps we need to check that statement. Sales are still very pleasing. We have good sales again in May, some of which I would imagine is due to groups pre-booking.

Alderman Tapp Coutts – GYRACC management have recently signed an agreement to have Ghan passengers visit, as an option to going out to the Gorge. They have also secured visits from Arnhem Air for tourist opportunities. Poppy Searle is doing a great job in developing tourism opportunities for the town.

Alderman Gazey – I am happy to accept the recommendation below with VIC figure corrections being made.

That it be recommended to Council:

That the report of the Corporate and Community Development Report for the month of May 2019 be received and noted.

CARRIED: 7 / 0

13.3 MONTHLY REPORT FOR INFRASTRUCTURE AND ENVIRONMENT SERVICES – MAY 2019

File: Local Governance / Council Meetings / Works and Services Division Reports

MOVED: Tapp Coutts / Zelle

Mayor Miller – On Lockheed Road, there is a large amount of green waste dumped. Why it is being left there? Now it appears to be a signal to other and they are also dumping green waste. Now there are other types of waste being dumped as well. I organised for the Men's Shed to collect the tree trunks which they can use for various projects, but we don't want to encourage any form of dumping.

XIE – That particular area was cleaned up today, by a contractor. We have taken a while to get the contractor to do this clean up. We will be following it up weekly to ensure no more is dumped. KTC will no longer allow staff to put waste in areas of town even following a storm event such as we experienced, and which produced the majority of this green waste.

Alderman Gazey – I did see the contractors cleaning it up today.

Alderman Gazey pg 17 - Delacoeur – isn't that part of the slashing contract? That materials removed for slashing need to be replaced by the contractor.

XIE – It should be and I will check. There were more posts knocked down than were not.

CEO – We may be able to charge the contractors for not doing the job?

Alderman Raynor – On guide posts, is there a set distance between posts?

XIE – There is a recommendation. However, it depends on the vertical and horizontal alignment of the road. There is a set distance from the edge of the shoulder.

Alderman Raynor – Are there recommendations on distanced from driveways?

XIE – Posts should generally be on both sides of the drive. They are there to mark where the driveway is.

Alderman Clark – Illegal dumping at the Sportsgrounds. Do we know who and how much was dumped?

XIE – Will take on notice.

That it be recommended to Council:

That the report of the Infrastructure and Environment Services Report for the month of May 2019 be received and noted.

CARRIED: 7 / 0

13.4 MONTHLY FINANCE REPORT – MAY 2019

File: Local Governance / Council Meetings / Finance Reports

MOVED: Gazey / Hurley

Mayor Miller – Honey and beeswax clothes – were these items for resale at the VIC?

COO – Yes

Mayor Miller – DJ for Deb Ball? Was that KTC's contribution?

COO – I believe so.

Mayor Miller – The DJ did a great job. The best music they have had.

Alderman Zelley – Sundry debtors age analysis – over 60 day, we are minus??

COO – This is a reversal in months.

Alderman Raynor – pg 35 Bus Stop Collins road.

CEO – Will get an update on that one.

Alderman Raynor – Driver's lights – Pajero?

CEO – Driving lights for the CEO's car.

Alderman Raynor – Pg 36 – 4-5 from bottom

CEO – Will provide details.

Alderman Raynor – Water WMF – is that for bottled water? Or cooler?

CEO – Will confirm details

Alderman Gazey - pg27 – Statement of Budget?

COO – End of year forecast has been adjust to reflect current position. We are saying we are not going to meet our budget. I will need to research the details on this one.

That it be recommended to Council that:

Council endorse the Financial Report for the month of May 2019.

CARRIED: 7 / 0

13.5 DISPOSAL OF OBSOLETE PROPERTY – MOTOR VEHICLES

File: Works / Reports / Reports 2019 / OMC General Reports

MOVED: Tapp Coutts / Hurley

Alderman Zelley – Are these budgeted vehicles?

Mayor Miller – None are listed in the Municipal Plan

COO – LTFP – There is no cost allocation for fleet replacements. The allocation for Fleet is included in existing plant. The municipal plan provides the details of the budgeted fleet items.

That it be recommended to Council that:

The Elected Members approve the disposal of the above motor vehicles.

CARRIED: 7 / 0

13.6 POSSIBLE CLOSURE OF RIGHT-OF-WAY 10 & 11 HIBISCUS COURT KATHERINE EAST

File: Local Governance / Council Meetings / Infrastructure & Environment Reports

MOVED: Clark / Hurley

Alderman Raynor – How do we close it, once it has been decided to close it?

XIE – Process outlined on pg 42. Council can sell land to abutting land owners.

Raynor – how do we close it physically?

CEO – There are a number of ways. The owner could purchase the land and extend his normal boundary fence. Or we put up physical barriers, i.e. locked gates. Any closure will require Ministerial approval prior to any action being taken.

Alderman Raynor – Behind this property is also an issue.

Mayor Miller – That is a reserve. We are not able to do anything about it.

CEO – Police are patrolling that area.

Mayor Miller – I think the Police will be pleased if we close this laneway.

Alderman Gazey – Can we temporarily close vs complete closure. This would allow assessment of hardship caused by the closure. There are school children who use this laneway.

XIE – We tried a temporary close previously, but it didn't work.

Alderman Gazey – Until we permanently close, do we temporary close while we go through the process?

CEO – We consult first, then take action. We need to assess valid user numbers. We should not close the lane whilst we are while in consulting stage. If after that point, the land owner purchased, we can close it.

Mayor Miller – We can do this in 28 days. Public notice, submissions, proposal for permanent closer to Minister. It is a reasonably short time frame.

Alderman Gazey – Our communication strategy doesn't always reach intended target. Can we erect a sign about the closure?

CEO – We could put signs up prior to any closure.

XIE – We could advise the school of what Council are intending to do. We could ask the school to put a notice in their parent newsletter. Notice of intent to close could be erected.

Mayor Miller – Glencoe Court is a good example of where we closed a laneway and after some initial damage to the barrier, things calmed down.

Alderman Gazey – Has anyone inspected the condition of Glencoe Court fence?

Mayor Miller – No complaints have been received.

Alderman Clark – Laneways are a constant issue with antisocial behaviour. This has caused some resident to move. Glad to see that the new Katherine East development won't have laneways.

Alderman Raynor – Will we be taking the advice of XIE and get the closure notice into the School Newsletter?

Alderman Gazey – Amendment to recommendation: I would like to add a fourth point being - 4. Close the laneway immediately in a temporary fashion as per Part 12.3 (187).

CEO – That may not be in alignment with the intent of advertising and consulting.

Alternate recommendation:

MOVED Gazey / Raynor

4. Close the laneway immediately in a temporary fashion as per Part 12.3 (187).

NOT CARRIED: 3 / 4 against

That it be recommended to Council that:

1. Public notice be given on the Council website of the proposal to permanently close the existing right-of-way that runs between 10 and 11 Hibiscus Court, Katherine East.
2. Invite submissions from the public regarding the proposal within a twenty eight (28) day period.
3. That a further report be provided to Council based on the submissions received.

CARRIED: 7 / 0

13.7 REGIONAL DEVELOPMENT FUND FUNDING AGREEMENT – KATHERINE PROMOTIONAL VIDEO

File: Finance / Grant Funding / Department of Trade, Business & Innovation

MOVED: Tapp Coutts / Hurley

Alderman Gazey – Confirmation of scope of works - We need to advertise at international level? Will that be achieved within the budgeted \$40K.

CEO – Yes, however, it is my understanding that we may choose to use YouTube as an international ad. We could add a line to the resolution with regard to international requirements being confirmed with the Department, so as to enable Council to meet the requirements through YouTube arrangements.

Amendment recommendation:

International requirements be confirmed with the Department as enable to be met through YouTube arrangements.

CARRIED: 7 / 0 (add amendment)

That it be recommended to Council that:

1. Confirm with the Department the International advertising requirements can be met through the use of YouTube arrangements
2. That the Mayor and Chief Executive Officer be authorised to affix the Common Seal on the Funding Agreement for the Katherine promotional video between the Department of Trade, Business and Innovation and Logistics and Katherine Town Council.

CARRIED: 7 / 0

14. REPORTS FROM REPRESENTATIVES ON COMMITTEES

Deputy Mayor Clark

Open Forum

Elected Member Information Sessions x 2

LTFP AMP Municipal Plan

Showgrounds Masterplan

Showgrounds walk around

Water Advisory Meeting

Long Ride Dinner

Library Storytime

Showgrounds Meeting

Budget Luncheon

Fire and Emergency Opening

Market Community Consultation – Dog Park

Biggest Morning Tea

Showgrounds & Architect Meeting

CBD & Architect Meeting

Alderman Gazey
Ordinary Meeting of Council
Open Forum
Elected Members Information Session x 2

Alderman Toni Tapp Coutts
Ordinary Meeting of Council
Open Forums
Elected Members Information Session x 2

Alderman Raynor
Ordinary Meeting of Council
Open Forum
Elected Members Information Session x 2

Alderman Zelley
Ordinary Meeting of Council
Open Forum
Elected Members Information Session x 2

Alderman Hurley
Ordinary Meeting of Council
Open Forum
Elected Members Information Session x 2

15. LATE AGENDA ITEMS

To accept the late agenda items x 3 to the meeting.

MOVED: Hurley / Clark

CARRIED: 7 / 0

15.1 SUSTAINABILITY - SUSTAINABLE EVENTS POLICY

File: Local Governance / Council Meeting / Agenda

MOVED: Tapp Coutts / Zelley

Alderman Gazey – This policy is intended to be in the interest of community. But, how much consultation has been done on the effect to operators putting on events in the communities.

COO – Very limited consultation has occurred. However, this will be a phased approach over a twelve (12) month period. We will do the consultation/ communication during that period, if EMs are happy with the policy.

Alderman Gazey – Twelve (12) months is not very long.

Alderman Tapp Coutts – We could extend that. The Show Society for example may need two (2) years to be able to comply.

Mayor Miller – I would prefer we do the consultation prior to approving the policy. Do a presentation at the Katherine Show. We need to have a policy by must bring the public along with us.

Alderman Clark – There is a lot to take in in this document.

Alderman Zelley – To implement single use plastics for small groups could see them operating at a loss.

Alderman Tapp Coutts – Similar policies are being phased in in Darwin and costs of environmentally friendly products are coming down as more Council require their use.

Alderman Tapp Coutts – Amend recommendation: Council will accept the draft policy now and Officer move to undertake public consultation

CEO – There are a range of words noting and accepting the policy. The wording is critical. I recommend we should note the policy rather than accept the draft in this instance.

Alderman Raynor – Can we have this policy available for viewing at the Katherine Show? Also some personal representation by the CCD team to speak to stall holders?

Alderman Tapp Coutts – Perhaps provide them with the draft policy as they will be too busy to consult with us during the Show.

Amended recommendation:

MOVED: Tapp Coutts / Zelley

That it be recommended to Council that:

Council receive and note the draft sustainability policy and then commence public consultation. The document is to be brought back to Council for consideration post this consultation period.

CARRIED: 7 / 0

15.2 SOCIAL INCLUSION POLICY

File: Local Governance / Council Meetings / Agenda

MOVED: Tapp Coutts / Clark

Tapp Coutts – This a good document about inclusion. Shows Council are moving beyond just looking after bricks and mortar. Well done.

That it be recommended to Council:

Council adopt the attached Social Inclusion Policy.

CARRIED: 7 / 0

15.3 **COMMUNITY GRANTS – ACCEPTANCE OF SUCCESSFUL GRANT APPLICATIONS**

File: Finance / Grant Funding / Shopfront Beautification Grants

MOVED: Hurley / Tapp Coutts

CEO – This is to dismlate the grants to people who submitted applications for grants.

Alderman Tapp – Coutts – This is a co-contribution grant scheme, funded by the overarching CBD Grant.

Alderman Gazey - \$44K of funding will be left if these applications are approved.

Alderman Hurley – The Finch Café is up for sale. Will this help them with their sale?

Mayor Miller – It is aimed at beautifying our street. The business owners have to match the funding.

That it be recommended to Council:

1. That Council approve the awarding of the following grants as per the recommendations of the CBD Revitalisation Project Control Group Committee Minutes on receipt of necessary paperwork.

Project	Applied For	Outcome	Comments
KWILS	\$844.00	Approved	
The Finch Café	\$5000.00	Approved	
Top End Tax	\$2968.00	Deferred	Deferred to next CBD PCG meeting

CARRIED: 7 / 0

16. **GENERAL BUSINESS**

FAREWELL AND THANK YOU TO CEO ROBERT JENNINGS

Tonight is our CEO Robert Jennings last Ordinary Council Meeting at Katherine Town Council after four and a half years.

I take this opportunity on behalf of the elected members to sincerely THANK Robert for the positive direction that he has steered our Council and community. Under his leadership our community has benefitted extremely well with successful Government funding for significant projects that have made and will continue to make such an improvement for our community. I also very much appreciate the restructure within Katherine Town Council administration which has been established under your guidance – ensuring more effective and efficient operations.

I have personally learnt a great deal from Robert's leadership and I am sure that all elected members can say the same.

Our loss is Alice Springs Town Council's gain. On behalf of all elected members Robert I THANK YOU and wish you every success in your new position in lovely Central Australia. It will be great to still catch up with you through the local government network.

Alderman Tapp Coutts – The relationship between Council and Police has been very good, i.e. walkarounds. Officers are working with the Police – it provides a low impact and non-aggressive stance.

Mayor Miller – Police are keen to keep the relationship working.

Alderman Tapp Coutts – I acknowledge Cmdr Hebb & Supt Shean for getting on the front foot right from the outset of their time in Katherine. They are providing more friendly policing for our community.

Alderman Tapp Coutts – What's happening at the Sportsgrounds with the Cockatoos?

XIE – LED lights at Oval 2 have been extensively damaged by Cockatoos. Quotes to fix these specialized lights runs into \$131K + \$30K for works. The good news is that the supplier of the lights is part of the "Local Buy" program, which means Council don't have to go to Tender for replacement lights. Further feedback from insurance is that we can go ahead and order lights. In five (5) weeks time we hope have lights delivered (from The Netherlands). Add one (1) week to install and we should have operating lights in around six (6) weeks. We have good communication with users who understand the dilemma – they understand KTC has not cause the issues. Everyone in the community should know that we have taken steps to rectify.

Alderman Zelle – Follow up on pictures on shopfront windows – Tourism NT.

CEO – This offer was not taken up by shop owners.

Mayor Miller – I will visit with the Salvos building owners to see if we can get them onboard with the Shopfront grants. It is such a prominent building and needs some TLC.

Alderman Tapp Coutts – What about the Randazzo Building? Perhaps we could approach them too.

Alderman Raynor – At the Lendlease Trade Day I was very impressed overall. There was good take up from most of the schools. Ngukurr and one of the other school unable to get in, which was a bit sad. It was heartening to see young ladies getting into trades with high enthusiasm.

Alderman Gazey – There was a media release recently on Low Level closure. I have seen no reopening media release.

CO – Will be opened tomorrow. There was a pipe leak and DIPL had to rip up the road to find where the leak was.

17. CONFIDENTIAL ITEMS

NIL

18. NEXT ORDINARY MEETING OF COUNCIL

The sixth Ordinary Meeting of Council for 2019 will be held on Tuesday 23 July 2019.

19. Meeting Closed

The meeting closed at 7:55 pm.



Fay Miller
MAYOR MILLER OF KATHERINE

Officer Title Abbreviations

CEO	Chief Executive Officer
COO	Chief Operating Officer
XCCD	Executive Manager Corporate and Community Development
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

Ref: Government Relations / Resources Sector / Hydraulic Fracturing

20 June 2019

Declaration of reserved blocks under the Petroleum Act in accordance with the Hydraulic Fracturing Inquiry's recommendation

Email: info.dirp@nt.gov.au

https://haveyoursay.nt.gov.au/reserved-blocks-consultation?utm_source=ehq_newsletter&utm_medium=email&utm_campaign=ehq-Thank-you-for-joining-us&utm_source=ehq&utm_medium=email&utm_campaign=website

AN OPEN LETTER FROM KATHERINE TOWN COUNCIL TO THE TERRITORY GOVERNMENT

Katherine Town Council take our responsibility to represent our community very seriously. Accordingly, since the beginning, we have strongly advocated for the banning of hydraulic fracturing within our municipal boundary in a motion carried at our Ordinary Meeting of Council held on the 24 February 2015 (Attachment 1) and have from that time on, consistently called for the designation of this hydraulic fracturing free zone.

Our position has been continually verified as of importance to the community and we are disappointed to see that this position has not been adopted by the Northern Territory Government, despite considerable lobbying over this four-year period. I attach the series of correspondence with the Minister for Primary Industries, Ken Vowles, in which Council have asked for some assurances in relation to the municipal boundary exemptions.

It is now imperative for our community and Council that the municipality is immediately identified as a protected area in alignment with *Recommendation 14.4* of the *Independent Scientific Inquiry in Hydraulic Fracturing in the Northern Territory*.

We provide the following evidence in support of this position:

1. The Katherine municipal boundary holds a significant proportion of the Northern Territory's economic, cultural and social future – within its boundaries sit considerable agribusiness (with great potential to be realised), outstanding aboriginal culture values, significant defence infrastructure, a collection of the Northern Territory's high visitation tourism destinations, the service centre for the region and government regional headquarters.
2. Should there be any negative hydraulic fracturing impact on the ground water; the economic, social and environmental systems might never recover. This is particularly the case with the groundwater being used for drinking and agricultural purposes, the cultural connection of the


aboriginal people with the land and the use of the river for tourism and recreational purposes. A relocation of the township is simply not an option.

3. The municipality is clearly of high tourism value as a whole, containing or adjoining major tourism features such as the Nitmiluk National Park, Leliyn Falls, Outback Experience, Top End Didgeridoo, Cutta Cutta Caves and most importantly the Katherine River. The river itself is the lifeblood of our community and acts as our water supply at times, a location for recreational activities and a place of great cultural and aesthetic beauty – we note that it is not included in the exclusion zone. However, beyond the individual elements, the whole of the municipality provides the context for our tourism and a consistency of messaging is essential for an authentic and successful tourism product.
4. Whilst the plans are at a scale that is difficult to read, we note that our significant 'rural residential' zoned areas and communities such as Binjari and Rockhole do not appear to be included in the exclusion zones. A large proportion of our population live in these areas. With the considerable funding the NT Government has generously placed in Katherine, the further expansion of these rural residential areas is assured, providing a great incentive for the municipal boundary to be recognised as the designated hydraulic fracturing free zone.
5. With the development of agriculture and horticulture in the region as well as the imminent construction of the Katherine Logistics & Agricultural Hub and its pivotal economic future to our Territory; the clear and consistent protection of the land associated with this important industry, at least to the extent of the municipality is essential.
6. Katherine is home to unique wildlife and fauna, including the Gouldian Finch and the Hooded Parrot; a rare pod of *Cycas Calicicola* just north of the town and in the exploration zone; the horseshoe bat which has already been forced to change its habitat regularly; and fish in our river that are rare and endangered. There are also many plants, fungi and insects currently under study. The area's flora, fauna and pristine environment are all major attraction for tourists.
7. Should the water become contaminated the region will suffer economically as fruit and vegetable production could be halted. We have recently experienced the PFAS contamination and seen the effects on the mango industry first hand. The river is our lifeblood and once contaminated it is gone forever, along with our "clean green" image.
8. Water in the Tindall Aquifer is already over allocated and tests show that with poor wet seasons the water table is significantly reduced. We cannot allow this already pressurised system to experience the threat of further potential contamination.
9. We have also seen with every good intent by governments that a mining industry can claim bankruptcy when the time comes to clean up and rehabilitate an area when their operations are terminated. We are then left to clean up or live with the mess.
10. Like many of the areas in the Northern Territory, the whole of the municipality is of high cultural significance to the local Aboriginal peoples. The investigation of the indigenous protected areas may provide additional evidence for the need to protect the municipal boundary.

11. Finally and significantly, the majority of the municipality is of little or no petroleum potential and would easily suit itself to be designated as a protected zone. The remainder is of unknown potential but is clearly a minor parcel when compared to the Northern Territory overall and to the more high potential areas; whilst still not setting any precedent as a result of its unique status to the Northern Territory, as verified in the proceeding statements.

In closing, the exclusion of the Katherine Municipality from Hydraulic Fracturing is one of the most significant and consistent messages received from our community. The Katherine Town Council are keen to work with the Northern Territory Government to ensure a good outcome for Katherine and the Northern Territory as a whole. We would welcome the opportunity of speaking directly with the Chief Minister to explore the possibilities of working together on a set of mutually beneficial outcomes.

Yours sincerely



MAYOR FAY MILLER

on behalf of the Katherine Town Council

Attachments:

1. Motion carried - Council in Minutes of Ordinary Meeting of Council – 24 February 2015
2. Letter to Minister Ken Vowles – Restatement of newly elected Council's position on hydraulic fracturing - 19 December 2017
3. Letter to Minister Ken Vowles – Resolution carried - Minutes of Ordinary Meeting of Council 27 February 2018 – 26 March 2018
4. Letter to Minister Ken Vowles – Request for clarification on exemption of Katherine Municipal boundaries from hydraulic fracturing - 25 June 2018

9.2 Without Notice

Nil

10. NOTICE OF MOTION

10.1 Unconventional Oil and Gas/Fracking within the Katherine Municipal Boundaries.

MOTION:

Mayor Miller moved to lay the motion on the table and advised her opinion that this needed to be laid on the table until next month until Elected Members have had the chance to read the Hawke report and make an informed position. She has been advised that the Report should be out before the end of February.

MOVED: Miller/ Rose

LOST: 3/4

MOTION

That Council agrees to:

1. Support the community of Katherine and ban Unconventional Oil and Gas Mining/fracking within the whole of the Katherine Municipal Boundaries.
2. Request the Minister for Mines and Energy, Willem Westra van Holthe to declare a moratorium on shale gas fracturing, exploration and drilling within the whole of the Katherine Town Council Municipal boundaries.

MOVED Tapp-Coutts/Higgins

Alderman Tapp-Coutts moved the motion with a couple of word changes:

1. Support the community of Katherine and request a moratorium on unconventional oil and gas mining/fracking within the whole of the Katherine Municipal Boundaries.
2. Remove the name Willem Westra van Holthe and retain the Minister for Mines and Energy.

CARRIED: 5/2

Alderman Phillips and Mayor Miller wished it noted they voted against the motion.

- Alderman Gazey thinks it is important to obtain the information from the Hawke Report before Council makes a decision. With the information and responsibility we have, he doesn't think fracking should be happening within our boundary.
- Alderman Higgins main objection is that there are assumptions Council has the authority to ban mining of any type within our boundaries. He is voting for the motion as it stands as it is no different than what has already been requested of the Minister. Does not see an issue with passing it now, whether the Report contradicts it or not.
- Deputy Mayor Clark agrees with Alderman Higgins. We have declared our position on behalf of the community in a letter to the Minister.
- Alderman Rose agrees with Alderman Higgins. He is sure the Hawke Report would add weight to Council's decision.
- Alderman Phillips would like to see the Hawke Report. Has canvassed a cross section of the community, this is a very emotive problem. Would like to believe

government has learnt its lesson on the management of these problems. Concerned for people within our boundary, particularly those who already have exploration mines on their property.

- Mayor Miller confirmed that it is a very emotive subject and Council has been canvassed by various members of the community. As Elected Members we have a responsibility to our community and to check out all our facts before we make any decisions. It will not make a difference if the motion lays on the table for one more month. We are now saying that we know better than what the Hawke Report will say. Thinks Hawke Report will not support fracking.
- Alderman Tapp-Coutts thinks this is a very important issue and the Town will thank everyone. She respects the views and opinions of everyone, The Country Liberal government of the Northern Territory announced on October 26 it was extending a reservation over Darwin's rural area to "protect rural and rural-residential areas of the Greater Darwin region from oil and gas development" the original area covered by Exploration Permit 224 (EP224) covered many properties in Humpty Doo and elsewhere, as well as a bore field that supplies 20% of Darwin's water.

11. REPORT OF OFFICERS

11.1 MONTHLY REPORT OF THE CHIEF EXECUTIVE OFFICER FOR THE MONTH OF FEBRUARY 2015

File: Local Governance / Council Meetings / Chief Executive Officer Reports

MOVED: Clark/Tapp-Coutts

That the report of the Chief Executive Officer for the month of February 2015 be received and noted.

CARRIED: 7/0

- Alderman Gazey asked about page 10, analysis, second paragraph, 74% increase in total sales in January. Page 7 states there is a 41% increase. DCCS advised that this is the value of commission sales.
- Alderman Gazey asked about the staff statistics - the date was 2014.

11.2 MONTHLY WORKS AND SERVICES DIVISION REPORT FOR THE MONTH OF FEBRUARY 2015

File: Local Governance / Council Meetings / Works and Services Division Reports

MOVED: Tapp-Coutts/Phillips

That the report of the Works and Services Division for the month of February 2015 be received and noted.

CARRIED: 7/0

- Deputy Mayor Clark asked about page 17 – shade cloth repair – is this another section that was damaged? The CEO asked the Director Works & Services to respond. The Director Works & Services advised that this was another section, and there is an ongoing issue.
- Alderman Phillips asked if Council could give an update on the rural road slashing programme. The CEO advised we are reviewing this and have received a number of comments. We are currently looking at budget allocations and hope this can be resolved within the next couple of months.

11.3 MONTHLY FINANCIAL REPORT – FEBRUARY 2015

Katherine Town Council

PO Box 1071
Katherine NT 0851

Our Ref: Community Relations / Resource Sector Correspondence

19 December 2017

The Honourable Ken Vowles
Minister for Primary Industry and Resources
PO Box 40628
CASUARINA NT 0851

Dear Minister Vowles,

KATHERINE TOWN COUNCIL SUBMISSION TO THE SCIENTIFIC INQUIRY INTO THE HYDRAULIC FRACTURING OF THE NORTHERN TERRITORY

At the Ordinary Meeting of Council on 13 December 2017, it was determined that the newly elected Council would seek to inform the Hydraulic Fracturing Taskforce of their position on hydraulic fracturing in the Katherine region.

As such, Council states its position remains the same as that expressed in the attached letter which was provided to the Hydraulic Fracturing Inquiry in April 2017.

If you would like further information regarding Council's position, please don't hesitate to contact me.

Yours sincerely,



Robert Jennings
CHIEF EXECUTIVE OFFICER

Attachment: Submission to the Inquiry into Hydraulic Fracturing in the Northern Territory – 27 April 2017

13.5 Acquittal – 2016/17 Library Operational Funding

File: Finance / Grant Funding / NT Library

MOVED: Tapp Coutts / Clark

That it be recommended to Council:

That the acquittal for the 2016/2017 Library Operational Funding be received and noted and the acquittal be forwarded to Northern Territory Library, Department of Tourism and Culture – Arts and Museums.

CARRIED: 6 / 0

13.6 KATHERINE TOWN COUNCIL HYDRAULIC FRACTURING POSITION AND ADVOCACY

File: Community Relations / Resources Sector Correspondence

MOVED: Clark / Raynor

Alderman Raynor – Why was the second recommendation in the Motion “*That the Katherine Town Council will support a total ban on Unconventional Oil and Gas Exploration and Extraction in the greater Katherine Region*” dropped? We are only asking for support for a total ban?

CEO – As stated in the Officer’s Report, the decision was based on feedback KTC Officers received after communications with adjoining regional Council’s revealed they had “not formally debated their position on fracking” and “Council may choose to adopt a position at a latter [sic] date, however at the moment there is no formal decision”.

Deputy Mayor Gazey – We Aldermen are representatives of the Katherine municipality. If other Councils around us have a documented opinion we can, if requested, support that. However, as KTC Aldermen we should only be commenting on the Katherine municipality.

Alderman Tapp Coutts – Yes, I agree with Deputy Mayor Gazey, if other Councils ask for our support that’s a different matter. KTC Officers have contacted other Councils and they have responded that they don’t have a position at this time. We cannot speak for them.

CEO – Council can direct me to keep in contact with the adjoining Councils to keep abreast of any decision to adopt a position on fracking and relate that back to the Elected Members.

Alderman Tapp Coutts – Has fracking been brought up at BRREDC?

Mayor – Not at this stage.

Alderman Zelley – We should only be concerned with our boundaries and not crossing into other regional areas. We are about the Katherine Municipality and its residents.

Mayor – We have to get back to the recommendation and that is that we represent the views of Katherine and speak only about our boundaries. If at a later date other Councils do ask us for support, we can consider offering that support.

Alderman Clark – I agree, we can support other Councils if or when they ask for that support.

That it be recommended to Council:

1. Resolve to write to the current Minister for Primary Industry and Resources to request the Northern Territory Government to place a legislative ban on all unconventional oil and gas exploration and extraction in the Katherine Electoral Boundaries.

CARRIED: 6 / 0

13.7 OCCUPATIONAL LICENCE OVER LOT 3023

File: Works / Reports / Reports 2018 / OCM General Reports

MOVED: Clark / Tapp Coutts

Deputy Mayor Gazey – Bollards and wheel stops are an ongoing maintenance item. Is there monetary assistance from DIPL if they require more than usual maintenance or they start to become expensive to repair/replace?

CEO – There is a twelve months defects liability clause. Bollards are unlikely to be severely damaged, however, DIPL have committed to some funding in instances where excessive damages/replacements are required.

Alderman Raynor – Have the challenges with the area identified earlier been rectified?

CEO – The wear and tear from turning wheel motions were causing issues, but the surface now seems to have settled down. Damaged bollards have been replaced. Council will continue to monitor the area throughout the defects period and liaise with DIPL where necessary.

That it be recommended to Council to:

1. Endorse the 12 month Occupational Licence and prior to the expiration, review and consider a five (5) year renewal.

CARRIED: 6 / 0

13.8 DISPOSAL OF OBSOLETE PROPERTY – MINOR PLANT AND EQUIPMENT

File: Works / Reports / Reports 2018 / OCM General Reports

MOVED: Tapp Coutts / Zelley

Mayor Miller – What are we doing with equipment we are writing off?

DCCS – Will be disposed of as waste. It is not a cost effective exercise to sell these items.

That it be recommended to Council to:

The Elected Members approve the disposal of the above listed minor plant and equipment.

CARRIED: 6 / 0

Katherine Town Council

PO Box 1071
Katherine NT 0851

Our Ref: Community Relations / Resources Sector Correspondence

26 March 2018

The Honourable Minister Ken Vowles
Minister for Primary Industry and Resources
PO Box 40628
CASUARINIA NT 0851

Dear Minister Vowles,

RE: Hydraulic Fracturing in the Katherine Municipality

At the Katherine Town Council's Ordinary Meeting of Council on 27 February 2018, Council resolved to:

"Write to the current Minister for Primary Industry and Resources to request the Northern Territory Government place a legislative ban on all unconventional oil and gas exploration and extraction in the Katherine Electoral Boundaries."

This resolution was carried with a majority vote of 6 / 0.

I have included the relevant pages from the minutes of the Council Meeting and for completeness, previous correspondence with regards to Council's position on Hydraulic Fracturing.

Yours sincerely,



Robert Jennings
CHIEF EXECUTIVE OFFICER

Attachments:

Extract from the *Minutes of the Ordinary Meeting of Council* (TBC), 27 February 2018.

Letter – The Hon Ken Vowles, Minister for Primary Industry and Resources, 19 December 2017.

Letter – The Hon Justice Rachel Pepper – Chair – Hydraulic Fracturing Taskforce, 27 April 2017.

Our Ref: Government Relations \ Agency \ Hydraulic Fracturing Taskforce

27 April 2017

The Honourable Justice Rachel Pepper
Chair
Hydraulic Fracturing Taskforce
GPO Box 4396
Darwin NT 0801

Dear Justice Pepper

KATHERINE TOWN COUNCIL SUBMISSION TO THE SCIENTIFIC INQUIRY INTO THE HYDRAULIC FRACTURING OF THE NORTHERN TERRITORY

Thank you for the opportunity to comment on this important inquiry which stands to have a significant potential impact on our Katherine community and the region economically, socially and environmentally. Katherine Town Council endorse the consultative processes being undertaken by the Northern Territory Government into hydraulic fracturing to date.

The Town of Katherine is currently home to around 11,000 people and is the service centre for a region of around 25,000 people. The town is the centre of a number of major industries including tourism, agriculture, defence, conventional mining as well as government and non-government agencies. A number of these industries rely heavily on the considerable water resources currently available from the aquifers that lie within the region.

Our primary focus is on safeguarding Katherine and our region and our greatest concern is the effect of any potential contamination of the environment that could adversely impact our residents and our industries. Ultimately, as one of the caretakers for future generations of Katherine and the region, this is our greatest responsibility and one that we entrust the Taskforce to safeguard.

Council has a current resolution that was adopted at our 24 February 2015 Council meeting with respect to a moratorium, which reads as follows:

That Council support the community of Katherine and request a moratorium on unconventional oil and gas mining/ fracking within the whole of the Katherine Municipal Boundaries.

CARRIED: 5/2

Alderman Phillips and Mayor Miller wished it noted they voted against the motion.

A second Council resolution on 26 April 2017 endorsed the contents and submission of this letter to the Hydraulic Fracturing Taskforce.

Overall, on behalf of our community, Council sanction the ongoing moratorium on hydraulic fracturing of onshore unconventional reservoirs within the Katherine Town Council boundary. Further to our previous submissions (refer to our previous letter of 12 October

2016), our meeting of 21 February 2017 and in line with the recommendations from other organisations, Council makes the following points for consideration by the Taskforce:

1. In line with the strong position of our community, we seek a boundary to be placed around the Katherine Town Council that precludes any hydraulic fracturing of onshore unconventional reservoirs within the municipality.
2. Should hydraulic fracturing proceed within the Northern Territory, there must be a period of robust and exhaustive consultation, and the full implementation and ongoing rigorous enforcement of best-practice regulation. Adequate resources must be set aside to achieve these goals. Katherine Town Council seek to be involved in as much of the process as practicable to best represent our community.
3. The regulation of fracking and associated activity needs to have an appropriate level of independence. The oversight of compliance with the regulations must give stakeholders and the public confidence that the regulations are being fully adhered to and cannot be evaded.
4. A chemical spill during transportation of high risk materials to or from the drill site is believed to be one of the main hazards associated with fracking. Regulations should include either specific reference to conditions for the transportation of chemicals, or clearly described links to existing regulations guiding the safe transportation of chemicals throughout the Northern Territory.
5. Where possible, regulations should guide industries choice of chemicals to reduce the risks associated with a chemical spill and/or contamination of water resources. Where a number of chemicals are available to perform a single function and some are relatively low risk, any high-risk chemicals should be prohibited on the basis that there are acceptable low risk alternatives.
6. The protection of all aquifers must be the highest priority in the regulatory framework. For example, there could be a regulated minimum distance between any potable water resources and any fracking activity. It is worth noting that although Council seek a moratorium on hydraulic fracturing within the municipality boundary, the aquifers that the area relies on run considerably south of the municipality boundary. It is therefore logical to extend the protection to these aquifers as they are one of the primary causes for concern.
7. Wherever possible, fracking activities should only be undertaken using non-potable water resources. The use of potable water resources should only be possible following a strict and fully transparent approvals process. The impacts on ground water resources of any water use should be measured and managed proactively.
8. Regulations need to be conservative and appropriate for the local conditions. For example, the engineering and construction of waste water ponds must account for both extremes of rainfall events.
9. The necessity to negotiate with landholder's biosecurity plans that guide all land access for fracking and associated activities must be prescribed in the regulations. Biosecurity risks range from weed infestation through to the spread of pests and diseases which threaten agricultural productivity.
10. Appropriate industry bond arrangements must be in place to ensure that the capital exists to address any legacy issues.

11. The benefits of the production of these resources should flow on to benefit the Australian local market as well as the overseas markets.

Please do not hesitate to meet with or call with any queries on 8972 5500. We look forward to being included in the future consultation

Yours sincerely



Robert Jennings
CHIEF EXECUTIVE OFFICER

Copy Sandra Nelson MLA, Member for Katherine
Hon Warren Snowden MP, Member of the Australian House of Representatives

Note

Points from this letter have been sourced from a number of articles including presentations given and points made by officers at Regional Development Australia, NT Chapter.

13.6 KATHERINE TOWN COUNCIL HYDRAULIC FRACTURING POSITION AND ADVOCACY

File: Community Relations / Resources Sector Correspondence

MOVED: Clark / Raynor

Alderman Raynor – Why was the second recommendation in the Motion “*That the Katherine Town Council will support a total ban on Unconventional Oil and Gas Exploration and Extraction in the greater Katherine Region*” dropped? We are only asking for support for a total ban?

CEO – As stated in the Officer’s Report, the decision was based on feedback KTC Officers received after communications with adjoining regional Council’s revealed they had “not formally debated their position on fracking” and “Council may choose to adopt a position at a latter [sic] date, however at the moment there is no formal decision”.

Deputy Mayor Gazey – We Aldermen are representatives of the Katherine municipality. If other Councils around us have a documented opinion we can, if requested, support that. However, as KTC Aldermen we should only be commenting on the Katherine municipality.

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Mayor – We have to get back to the recommendation and that is that we represent the views of Katherine and speak only about our boundaries. If at a later date other Councils do ask us for support, we can consider offering that support.

Alderman Clark – I agree, we can support other Councils if or when they ask for that support.

That it be recommended to Council:

1. Resolve to write to the current Minister for Primary Industry and Resources to request the Northern Territory Government to place a legislative ban on all unconventional oil and gas exploration and extraction in the Katherine Electoral Boundaries.

CARRIED: 6 / 0

Katherine Town Council

PO Box 1071
Katherine NT 0851

Our Ref: Government Relations / Department of Primary Industry and Fisheries

21 June 2018

The Honourable Ken Vowles
Minister for Primary Industry and Resources
GPO Box 3146
DARWIN NT 0801

Dear Minister Vowles,

RE: Clarification of No Hydraulic Fracturing within the Katherine Municipal Boundaries

A question was received from a member of the Katherine Community that they wished to have raised at our Community Forum on 22 May 2018. The question was:

*"Considering the recent lifting of the moratorium on hydraulic fracturing in the NT, can Council assure residents that hydraulic fracturing will **not** occur within Katherine's Municipal boundaries?"*

To answer this question, a map titled "*Planned Reserved Areas from Shale Gas Development Under S9 of the Petroleum Act*", was sourced off the Northern Territory Government's Hydraulic Fracturing website. I have included the link for your information <https://hydraulicfracturing.nt.gov.au/hydraulic-fracturing-map>.

This map seems to support community concerns that fracking could occur within the Municipality as some of it is not identified as "reserved". I have included a copy of the current municipal boundaries as per the "NR Map" system, so both maps can be compared.

The major area of concern is on our eastern boundary. Katherine's Municipality runs along the Stuart Highway, continues past the Central Arnhem Highway, before tracking in a more northerly direction. This area has **not** been identified as reserved in the "Reserved Areas" map.

As Council made a commitment to the community to follow this matter through with the relevant NTG Ministers, we write to gain an assurance from you that none of the Katherine Municipality will be subject to Hydraulic Fracturing.

To save any further confusion or concerns from Council or our community, we would appreciate the "Reserved Areas Map", being amended to include the entire Katherine Municipality.

We look forward to your response on this matter.

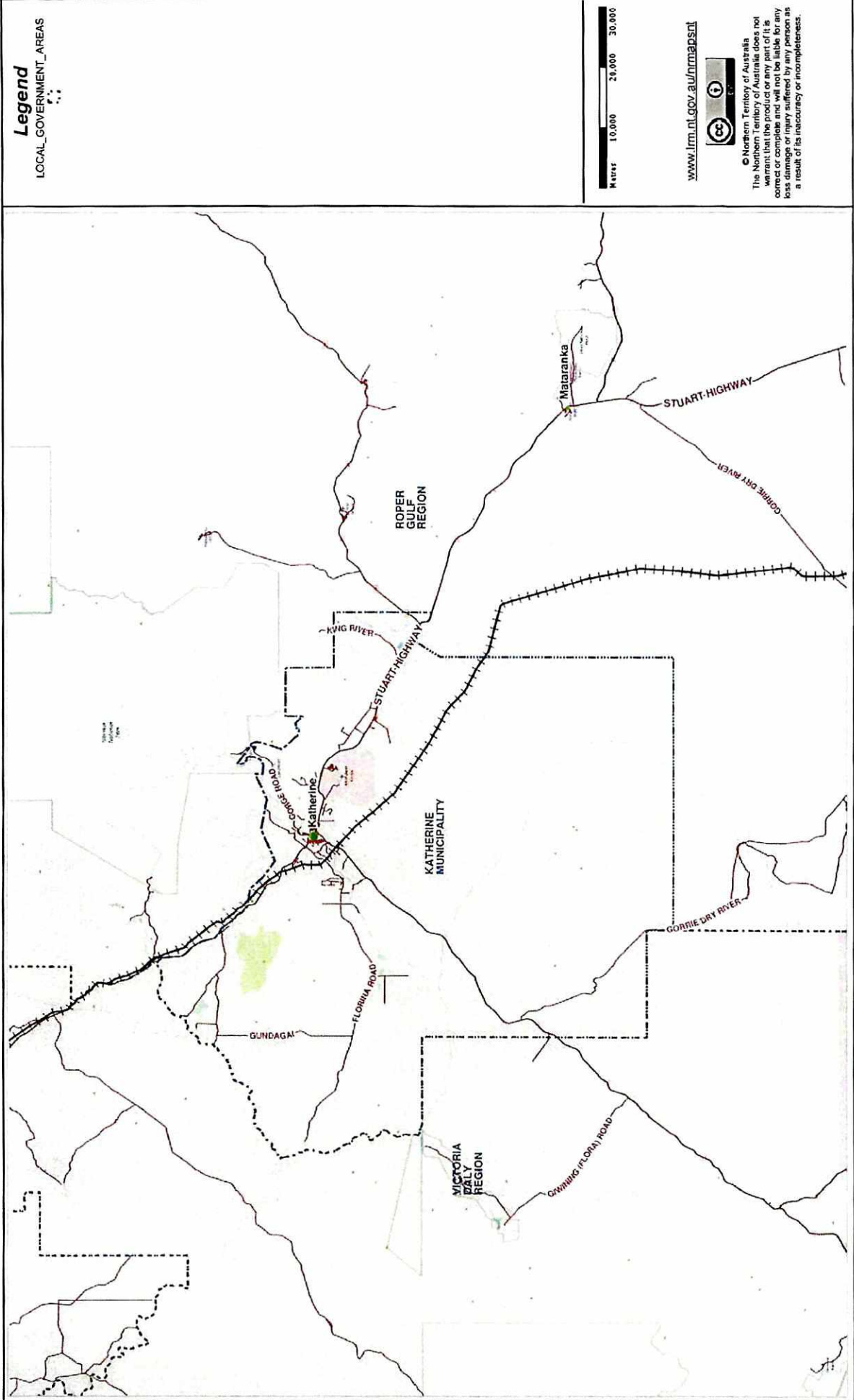
With best regards,



Claire Johansson
ACTING CHIEF EXECUTIVE OFFICER

NR MAPS

Municipal Boundary



Sue Crammond

From: Charlie Phillips [REDACTED]
Sent: Friday, 21 June 2019 11:53 AM
To: Sue Crammond
Subject: Doc 92117 HYDRAULIC FRACTURING INQUIRY RECOMMENDATIONS -
DECLARATION OF RESERVED BLOCKS

Mayor Fay Miller
Katherine Town Council

Dear Fay

The Chief Minister has asked me to thank you for Council's comprehensive submission which outlines a broad range of social, cultural, environmental and economic issues in relation to the above.

Council's undertaking to work co-operatively with the Government on the relevant issues is appreciated and your submission on Reserved Blocks will be carefully considered by the Government.

I've taken the liberty of referring your letter to the Minister for Primary Industry and Resources, Hon Paul Kirby MLA and you will receive a response in the near future.

Please convey the Chief Minister's best wishes to your Council colleagues.

Regards

CHARLIE

Charlie Phillips | Senior Adviser
Office of the Chief Minister of the Northern Territory
Northern Territory Government of Australia

Level 5, Parliament House, Darwin NT
GPO Box 3146, Darwin NT 0801, Australia
p... (+61) 8999 6976 | m... 0401 119 767 | e... charlie.phillips@nt.gov.au

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