



# **MINUTES**

## **Ordinary Meeting of Council**

**Tuesday, 24 January 2023**

Council Chambers,  
Civic Centre, Stuart Highway, Katherine

## 1 ACKNOWLEDGEMENT OF COUNTRY

WE WOULD LIKE TO ACKNOWLEDGE THAT **THIS MEETING IS BEING HELD ON THE TRADITIONAL LANDS OF THE FIRST NATIONS** PEOPLE OF THE KATHERINE TOWNSHIP AND SURROUNDING COUNCIL COMMUNITIES. WE RECOGNISE THE FIRST NATIONS CULTURE AS ONE OF THE LONGEST SURVIVING CULTURES IN THE WORLD AND WE PAY OUR RESPECTS TO ELDERS BOTH PAST, PRESENT AND FUTURE.

## 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

Mayor Elisabeth Clark declared the meeting open at 6.01PM

## 4 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

### 4.1 ATTENDANCE

#### ELECTED MEMBERS

- Mayor Elisabeth Clark (Chair)
- Councillor Maddy Bower
- Councillor Ben Herdon
- Councillor Amanda Kingdon
- Councillor Jeremy Trembath

#### OFFICERS

- Ms Ingrid Stonhill – Chief Executive Officer
- Ms Rosemary Jennings – Director Community Services
- Mr Brendan Pearce – Director Infrastructure and Environment
- Mr Avtar Singh – Director of Corporate Services
- Amanda Haigh – Governance and Executive Officer

#### PUBLIC

12 members of the public

### 4.2 APOLOGIES

NIL

### 4.3 LEAVE OF ABSENCE

Deputy Mayor Kym Henderson and Councillor Denis Coburn are absent from the meeting on leave.

### 4.4 APPLICATIONS FOR LEAVE OF ABSENCE

NIL

## 5 DECLARATION OF INTEREST OF MEMBERS AND STAFF

NIL

## 6 PRESENTATIONS FROM EXTERNAL AGENCIES

Virginia Read, Superintendent, NT Police Katherine Division gave an overview of her appointment to Katherine, and current priorities focussing on enhancing engagement and the community working together on issues affecting the community.

## 7 CONFIRMATION OF PREVIOUS MINUTES

7.1 Minutes of the Ordinary Council Meeting held On 13 December 2022

### COUNCIL RESOLUTION

**OCM-001-2023**

**Moved:** Councillor Kingdon

**Seconded:** Councillor Trembath

That the minutes of Ordinary Meeting of Council on 13 December 2022 be confirmed as true and accurate.

**CARRIED 5/0**

## 8 BUSINESS ARISING FROM PREVIOUS MINUTES

NIL

## 9 MAYORAL BUSINESS

### 9.1 MAYORAL ACTIVITIES

#### **Her Worship the Mayor Elisabeth Clark**

**Period 14 December 2022 to 13 January 2023**

Date	Activity attended
14 <sup>th</sup> Dec. 2022	End of Year Catch up with RAAF SADFO and officers – Video of upcoming projects.
14 <sup>th</sup> Dec. 2022	End of year Seniors Christmas Lunch.
14 <sup>th</sup> Dec. 2022	Presentation from Victims of Crime.
15 <sup>th</sup> Dec. 2022	Presentation of Trophy – Katherine School of the Air.
16 <sup>th</sup> Dec. 2022	Meeting with CEO. X 2 (9 January 2023)

17 <sup>th</sup> Dec. 2022	Xmas Dinner with Elected Members
20 <sup>th</sup> Dec. 2022	Meeting with EA x 2 (10 January 2023)
20 <sup>th</sup> Dec. 2022	Citizen of the Year Panel.
20 <sup>th</sup> Dec. 2022	Elected Member lunch Ryan Park.
22 <sup>nd</sup> Dec. 2022	Draw prizes for Chamber of Commerce for Xmas in Katherine – Emerge.
10 <sup>th</sup> Jan 2023	Meeting with Elected Member
12 <sup>th</sup> Jan 2023	Meeting with Elected Member

## 10 CORRESPONDENCE AND DOCUMENTS TO BE TABLED

### 10.1 CORRESPONDENCE AND DOCUMENTS DECEMBER 2022

#### COUNCIL RESOLUTION

OCM-002-2023

**Moved:** Councillor Trembath

**Seconded:** Councillor Kingdon

1. That Council receive and note the Correspondence and Documents received for the period ending 13 January 2023.

**CARRIED 5/0**

**INCOMING**

#	Type	Date	From	Title	MagiQ Id
1	Email	4/12/2022	Colin Berry	Thankyou	174676
2	Email	8/12/2022	Chief Minister	Katherine Sobering Up Shelter operational changes	174989
3	Email	12/12/2022	Peter McDougall	Expression of Interest – Centenary of Katherine	174988
4	Email	16/12/2022	Maree DeLacey – Executive Director Local Government CMC	Guideline 7 – Procedural Fairness in Deciding Code of Conduct Complaints	175074
5	Letter	16/12/2022	Vicki O’Halloran – Administrator of the Northern Territory	22 <sup>nd</sup> Administrator of NT term ending	175373
6	Email	6/01/2023	Patty Buntine	Hot Springs Park	175479
7	Letter	4/01/2023	Lauren Moss - Minister for Equality and Inclusion	Successful application for International Women’s Day 2023 of \$1,500	175484

**OUTGOING**

#	Type	Date	To	Title	MagiQ Id
1	Letter	10/01/2023	Hon Natasha Fyles MLA – Chief Minister of the NT	Response to letter regarding Katherine Sobering Up Shelter	175510
2	Letter	10/01/2023	Selina Uibo – Member for Arnhem	Response to Adjournment Speech	175511
3	Letter	10/01/2023	Vicki O’Halloran – Administrator of the Northern Territory	Response to letter regarding 22 <sup>nd</sup> Administrator of NT term ending	175512
4	Email	12/01/2023	Patty Buntine	Apology response to Hot Springs Carpark	175613

**11 PETITIONS**

NIL

## 12 PUBLIC QUESTION TIME (MATTERS REFERRED TO THE AGENDA)

QUESTION	RESPONSE
<p>Item 14.12 – EV Charging Station – acknowledgement of support for the project and the need.</p> <p>Is there more detail coming up?</p> <p>Will this negate the showground area?</p> <p>Why were other areas taken out from the consultation?</p> <p>The project is a good step forward and will be encourage people to come and be able to stay overnight.</p>	<p>Questions taken on notice</p>

## 13 NOTICE OF MOTION

Nil

## 14 REPORTS OF OFFICERS

### 14.1 CHIEF EXECUTIVE OFFICER REPORT

#### COUNCIL RESOLUTION

OCM-003-2023

**Moved:** Councillor Bower

**Seconded:** Councillor Kingdon

1. That Council receive and note the Chief Executive Report.

**CARRIED 5/0**

### 14.2 PROPOSED AMENDMENT OF KATHERINE TOWN COUNCIL BY-LAWS 1998 PUBLIC CONSULTATION

#### COUNCIL RESOLUTION

OCM-004-2023

**Moved:** Councillor Bower

**Seconded:** Councillor Trembath

1. That Council:
  - (a) Note the comments received through public consultation on the proposed amendments to the Katherine Town Council By-Laws 1998, and Council's response (Attachment 1)

- (b) Note that the final version of the amendments will be forward to the Department of the Chief Minister and Cabinet for certification, before returning to Council for consideration in February 2023 then approval by the Minister for Local Government.

**CARRIED 5/0**

### 14.3 MULTIPLE DWELLING POLICY

#### MOTION

**Moved:** Councillor Kingdon

**Seconded:** Councillor Herdon

1. That Council:
  - (a) rescind the Multiple Dwelling Policy 2019, and
  - (b) retain the existing policy applied to properties in the Agriculture zone where seasonal workers accommodation is not considered a separate part or unit of the allotment, and rates are based on the number of ablution facilities.

Councillor Herdon proposed the policy be laid on table as require more understanding and clear clarification to table at a future meeting.

#### MOTIONOCMOCM-005-2023-MOTION

**Moved:** Councillor Herdon

**Seconded:** Councillor Trembath

1. That Council lay the Multi Dwelling Policy report on the table to be considered at a later date.

**CARRIED 3/2**

### 14.4 COUNCILS POWER OF SALE - UNPAID RATES

#### COUNCIL RESOLUTION

**OCM-006-2023**

**Moved:** Councillor Herdon

**Seconded:** Councillor Bower

1. That the Mayor and Chief Executive Officer be authorised to affix the common seal on the required Land Title Act (LTA) Notices (Form 45 and Form 46); and
2. That the Mayor and Chief Executive Officer be authorised to arrange the disposal pursuant to the Local Government Act Division 5, and in accordance with the process laid down by HWL Ebsworth, including determining the reserve price on the basis of an independent valuation, if required, for the following properties:

Assessment No	Last Payment Date	Current Balance Owing as of 13/1/2023	In Arrears Since	Registered Overriding Statutory Charge

997	9/12/2022	\$11,641.02	30/09/2017	20/07/2015
1058	28/07/2017	\$19,579.95	07/10/2013	20/07/2015
2239	15/12/2019	\$31,211.35	06/10/2008	09/05/2011
3202	16/06/2014	\$32,451.29	07/10/2010	10/05/2016

3. That the Mayor and Chief Executive Officer be authorised to cease the sale/s at such time as the ratepayers enter an approved Special Payment Arrangement as per Councils Rates Concession Policy or the arrears for the aforementioned properties are paid in full.

**CARRIED 5/0**

Discussion included understanding the process to recover outstanding rates debts of \$1.2m since 2015. To date Council has successfully recovered \$580k worth of the outstanding rates debt.

## **14.5 CONSENT TO DECLARE A PORTION OF CHARDON ST KATHERINE EAST A PUBLIC ROAD**

### **COUNCIL RESOLUTION**

**OCM-007-2023**

**Moved:** Councillor Kingdon

**Seconded:** Councillor Bower

1. That Council:

- a) give public notice of the proposal to establish a new public road being the extension of Chardon Street, Katherine East.
- b) The notice is to include an invitation to any person who may object to the proposal to lodge a written objection to the proposal within 28 days.
- c) That Council consider any objections lodged in accordance with the invitation at the earliest available Ordinary Meeting.

**CARRIED 5/0**

## **14.6 ELECTED MEMBER REPRESENTATIVES ON COUNCIL ADVISORY COMMITTEES**

### **COUNCIL RESOLUTION**

**OCM-008-2023**

**Moved:** Councillor Trembath

**Seconded:** Councillor Bower

1. The Council appoints the following members the Council Advisory Committee:
  - (a) Administrative Review Committee
    - (i) Council appoints Mayor Clark, Councillor Herdon, and Councillor Kingdon to the Administrative Review Committee for the Period of 25 January 2023 to 31 January 2024, and



- (ii) Councillor Herdon be the Chair of the Administrative Review Committee for the Period of 25 January 2023 to 31 January 2024.
- (b) Audit and Risk Management Committee
  - (i) Council appoints Deputy Mayor Henderson and Councillor Herdon to the Audit and Risk Management Committee for the Period of 25 January 2023 to 31 January 2024.
- (c) Community Benefit Grants Committee
  - (i) Council appoints Councillor Kingdon and Councillor Bower to the Community Benefit Grants Committee for the Period of 25 January 2023 to 31 January 2024.
- (d) Katherine Sportsground Advisory Committee
  - (i) Council appoints Deputy Mayor Henderson and Councillor Coburn to the Katherine Sportsground Advisory Committee for the Period of 25 January 2023 to 31 January 2024.
- (e) Katherine Showground and Multi-purpose Advisory Committee
  - (i) Council appoints Councillor Trembath and Councillor Kingdon to the Katherine Showground and Multi-purpose Advisory Committee for the Period of 25 January 2023 to 31 January 2024.
- (f) Youth Advisory Committee
  - (i) Council appoints Deputy Mayor Henderson and Councillor Trembath to the Youth Advisory Committee for the Period of 25 January 2023 to 31 January 2024.

**CARRIED 5/0**

## **14.7 REPORT OF COMMUNITY EVENTS AND ENGAGEMENT FOR THE MONTH OF DECEMBER 2022**

### **COUNCIL RESOLUTION**

**OCM-009-2023**

**Moved:** Councillor Bower

**Seconded:** Councillor Trembath

1. That Council receive and note the Community Events and Engagement Report for the Month of December 2022.

**CARRIED 5/0**

## **14.8 REPORT OF KATHERINE PUBLIC LIBRARY FOR THE MONTH OF DECEMBER 2022**

### **COUNCIL RESOLUTION**

**OCM-010-2023**

**Moved:** Councillor Bower

**Seconded:** Councillor Trembath

1. That Council receive and note the Katherine Public Library Report for the Month of December 2022.

**CARRIED 5/0**

#### **14.9 REPORT OF KATHERINE VISITOR INFORMATION CENTRE FOR THE MONTH OF DECEMBER 2022**

**COUNCIL RESOLUTION**

**OCM-011-2023**

**Moved:** Councillor Bower

**Seconded:** Councillor Trembath

1. That Council receive and note the Visitor Information Centre Report for the Month of December 2022

**CARRIED 5/0**

#### **14.10 REPORT OF REGULATORY SERVICES FOR THE MONTH OF DECEMBER 2022**

**COUNCIL RESOLUTION**

**OCM-012-2023**

**Moved:** Councillor Kingdon

**Seconded:** Councillor Herdon

1. That Council receive and note the Regulatory Services Report for the Month of December 2022.

**CARRIED 5/0**

Discussion acknowledged the dead cars have been removed across town.

#### **14.11 INFRASTRUCTURE AND ENVIRONMENT REPORT FOR THE MONTH OF DECEMBER 2022**

**COUNCIL RESOLUTION**

**OCM-013-2023**

**Moved:** Councillor Kingdon

**Seconded:** Councillor Trembath

1. That the Operations report of the Infrastructure and Environment Department for the month of December 2022 be received and noted.

**CARRIED 5/0**

Discussion raised the East Side storm water drains are full of neem trees especially behind the Katherine High School and McFarlane Primary School requesting staff to advise if these are Council or NTG responsibility. Question taken on notice.

#### **14.12 PROJECT REPORT - DECEMBER 2022**

##### **COUNCIL RESOLUTION**

**OCM-014-2023**

**Moved:** Councillor Bower

**Seconded:** Councillor Kingdon

1. That Council receive and note the project update report for the month of December 2022.

**CARRIED 5/0**

#### **14.13 ACQUITTAL OF SPECIAL PURPOSE GRANT FOR STAGE 1 CONSULTANCY - BIG RIVERS MATERIALS RECOVERY FACILITY**

##### **COUNCIL RESOLUTION**

**OCM-015-2023**

**Moved:** Councillor Kingdon

**Seconded:** Councillor Trembath

1. That it be recommended to Council:
  - (a) That the acquittal for the 2019-2020 Special Purpose Grant – Stage 1 Consultancy – Big Rivers Materials Recovery Facility be received and noted, and the acquittal be forwarded to the Department of the Chief Minister and Cabinet, NT Government

**CARRIED 5/0**

#### **14.14 FINANCE REPORT FOR THE MONTH OF DECEMBER 2022**

##### **COUNCIL RESOLUTION**

**OCM-016-2023**

**Moved:** Councillor Herdon

**Seconded:** Councillor Bower

1. That Council:
  - (a) Endorse the Finance Report for the Month of December 2022

**CARRIED 5/0**

#### **14.15 MONTHLY REPORT OF CORPORATE SERVICES FOR THE MONTH OF DECEMBER 2022**

**COUNCIL RESOLUTION**

**OCM-017-2023**

**Moved:** Councillor Herdon

**Seconded:** Councillor Trembath

1. That Council:

- (a) Receive and note the Corporate Services Report for the month of December 2022

**CARRIED 5/0**

**15 REPORTS FROM REPRESENTATIVES ON COMMITTEES**

Nil

**16 ELECTED MEMBERS ACTIVITIES**

**16.1 ELECTED MEMBER ACTIVITIES**

**COUNCIL RESOLUTION**

**OCM-018-2023**

**Moved:** Councillor Kingdon

**Seconded:** Councillor Bower

1. That Council receive and note the Elected Member activities for the period 2 December 2022 to 13 January 2023.

**CARRIED 5/0**

**17 LATE AGENDA**

**17.1 FIRST BUDGET REVIEW 2022-2023**

**COUNCIL RESOLUTION**

**OCM-019-2023**

**Moved:** Councillor Herdon

**Seconded:** Councillor Trembath

1. That Council:

- (a) Note the budget review for the period 01 July to 31 December 2022, and
- (b) Adopt the original endorsed 2022/2023 budget.

**CARRIED 5/0**

## 18 GENERAL BUSINESS

Mayor Clark expressed condolences the Sarny Family on the passing of Pat.

Australia Day ceremony this thursday 26 January will commence 9am with a RAFF fly over at 11am.

Free Personal Safety Sessions are being delivered for the public 8 February 5pm and for Seniors 9 February 9.30am at the Civic Centre. Please register to attend the event.

Come and Try Sports Expo will be held on the 11 March 9am to 12pm at the YMCA. Registrations for stalls close 24 February.

Rates 3<sup>rd</sup> installment is due 31 January.

## 19 CLOSURE MEETING TO PUBLIC

HER WORSHIP THE MAYOR:

Members, Council has resolved to use Section 99(2) of the Local Government Act to discuss and resolve confidential Issues which come before it.

Section 99(2) gives power to council to close a meeting for public, which means that all members all public and press will be asked to leave the Council chambers, to discuss specific Issues in relation to matters referred to in regulations 51 of the Local Government (General) Regulations 2021.

I now move a motion that the following items (and items list follows no confidential reason) to close the meeting to public.

CR BOWER

Your Worship, I wish to second that the meeting be closed to public to discuss issues relating to matters as stipulated in Section 99(2) of the Local Government Act and regulations 51 of the Local Government (General) Regulations 2021.

The meeting was closed at 7.15PM.

## 20 CONFIDENTIAL ITEMS

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### RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 99(2) of the Local Government Act 2019:

#### **20.1 Confirmation of Previous Confidential Minutes**

This matter is considered to be confidential under Section 99(2) - ci of the *Local Government Act 2019*, and the Council is satisfied that discussion of this matter 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 cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

#### **19.2 CEO Performance Review**

This matter is considered to be confidential under Section 99(2) - a of the *Local Government Act 2019*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.

## **21 RESUMPTION OF OPEN MEETING**

Open meeting was resumed at 8.52pm.

At 8:52 pm, Councillor Jeremy Trembath left the meeting.

## **19 CLOSURE OF MEETING**

The meeting was closed at 8.53pm.

The next meeting of the Ordinary Meeting of Council will be held on 28 February 2023.

Unconfirmed