



AGENDA

Ordinary Meeting of Council

Wednesday, 26 April 2023

12.00pm

Council Chambers, Civic Centre,
Stuart Highway, Katherine

The Chief Executive Officer of Katherine Town Council hereby provides notice of the Ordinary Meeting of Council, in accordance with Section 92 of the *Local Government Act 2019*.

ELECTED MEMBERS

- Mayor Elisabeth Clark (Chair)
- Councillor Maddy Bower
- Deputy Mayor Denis Coburn
- 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

VISION:

Katherine is a place of opportunities. We celebrate diversity as we live, work, learn and grow together.

MISSION:

Together, we will work effectively today to shape our exceptional future tomorrows.

VALUES:

- **Accepting of diversity**
- **Sense of community**
- **Respect for people, environment, and culture.**

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	Questions can be submitted in writing via email (records@ktc.nt.gov.au), online (www.katherine.nt.gov.au), via phone (08 8972 5500), in person at the Civic Centre OR at the Ordinary Meeting of Council.	
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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

4 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

4.1 ATTENDANCE

4.2 APOLOGIES

4.3 LEAVE OF ABSENCE

Nil

5 DECLARATION OF INTEREST OF MEMBERS

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@ktc.nt.gov.au

6 PRESENTATIONS FROM EXTERNAL AGENCIES

Nil

7 CONFIRMATION OF PREVIOUS MINUTES

7.1 Minutes of the Ordinary Council Meeting held On 28 March 2023



MINUTES

Ordinary Meeting of Council

Tuesday, 28 March 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 12.01am

4 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

ELECTED MEMBERS

- Mayor Elisabeth Clark (Chair)
- Councillor Maddy Bower
- Deputy Mayor Denis Coburn
- Councillor Amanda Kingdon
- Councillor Jeremy Trembath

OFFICERS

- Ms Ingrid Stonhill – Chief Executive Officer
- Ms Rosemary Jennings – Director Community Services
- Mr Avtar Singh – Director of Corporate Services
- Amanda Haigh – Governance and Executive Officer
- 11 Staff

GUESTS

- Maree De Lacey – Executive Director, Local Government Unit, Department of the Chief Minister and Cabinet

PUBLIC

- 6

4.1	APOLOGIES
NIL	
4.2	LEAVE OF ABSENCE
NIL	
4.3	APPLICATIONS FOR LEAVE OF ABSENCE
NIL	

5 DECLARATION OF INTEREST OF MEMBERS AND STAFF

6 PRESENTATIONS FROM EXTERNAL AGENCIES

Maree De Lacey, Executive Director Local Government, Department of the Chief Minister and Cabinet provided an overview presentation of the role of the Local Government Unit.

7 CONFIRMATION OF PREVIOUS MINUTES

7.1 Minutes of the Ordinary Council Meeting held On 28 February 2023

COUNCIL RESOLUTION

OCM-009-2023**Moved:** Councillor Bower**Seconded:** Councillor Trembath

That the minutes of Ordinary Meeting of Council on 28 February 2023 be confirmed as true and accurate.

CARRIED 5/0

7.2 Minutes of the Special Council Meeting held On 7 March 2023

COUNCIL RESOLUTION

OCM-010-2023**Moved:** Councillor Trembath**Seconded:** Councillor Kingdon

That the minutes of Special Meeting of Council on 7 March 2023 be confirmed as true and accurate.

CARRIED 5/0

8 BUSINESS ARISING FROM PREVIOUS MINUTES

NIL

9 MAYORAL BUSINESS

9.1 MAYORAL ACTIVITIES

COUNCIL RESOLUTION

OCM-011-2023**Moved:** Councillor Trembath**Seconded:** Deputy Mayor Coburn

1. That Council receive and note the Mayoral activities for the period to 28 February 2023.

CARRIED 5/0

10 CORRESPONDENCE AND DOCUMENTS TO BE TABLED

Nil

11 PETITIONS

nil

12 PUBLIC QUESTION TIME (MATTERS REFERRED TO THE AGENDA)

QUESTION	RESPONSE
Will council be livestreaming meetings again now that being moved to during the day? Some residents cant attend due to work commitments and it would be good to have the ability to watch the meetings at a later time.	Livestreaming technology currently is not operational, council needs to budget to upgrade the technology to reinstate livestreaming ability again.

13 NOTICE OF MOTION

Nil

14 REPORTS OF OFFICERS

14.1 SHOW GROUNDS ADVISORY COMMITTEE NOMINATIONS

COUNCIL RESOLUTION

OCM-012-2023

Moved: Councillor Trembath

Seconded: Councillor Kingdon

1. That Council receive and note the report on nominations received for the Show Grounds Advisory Committee.
 - (a) That Council accept the nominations of representatives from the following Clubs and Associations to the Show Grounds Advisory Committee:
 - (i) AFLNT –
 - (ii) Australian Stock Horse Society – Anna Kerwin
 - (iii) Blue Eagle Training Fitness – David Flood
 - (iv) Katherine Camels Football Club Inc – Tim Delaney
 - (v) Katherine Dirt Kart Club – Mark Robertson
 - (vi) Katherine District Show Society – Anna Kerwin

(vii) Katherine Rope and Barrel Club Inc – Melinda Whelan

(viii) Katherine Turf Club - Tia Solloway

CARRIED 5/0

AFLNT representative has now left and a new person will be arriving in the coming weeks.

14.2 KATHERINE TOWN COUNCIL BY-LAW AMENDMENTS

COUNCIL RESOLUTION

OCM-013-2023

Moved: Councillor Kingdon

Seconded: Deputy Mayor Coburn

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 considered at the 24 January 2023 Council meeting,
 - (b) Make the Katherine Town Council Amendment By-Laws 2023, and
 - (c) Authorise the Chief Executive Officer to sign the Katherine Town Council Amendment By-Laws 2023.

CARRIED 5/0

By-Law 26 Camping or sleeping in public – enforced during the peak tourist season where there are signs advising of no camping. Katherine has multiple businesses providing camping options and council supports visitors to use these businesses. Countrymen are dealt with in a caring approach with alternative options provided for people who are displaced. Generally this is under request of the NTG.

Division 1A Waste – it is not an offence to collect 10 cent recyclables under the By-Law.

The By-Law has been an 11 year process to review and amend to bring up to date with current changes to other legislation and government policies. Once implemented Council can make more changes to reflect future policies such as the Voice and Council's own Reconciliation Plan to be considered in the By-Laws. The Council By-laws are able to give consideration at the local community level to strategic priorities such as Closing the Gap and United Nations Declaration on the Rights of Indigenous Peoples.

Penalty units are set by the NTG on a yearly basis.

14.3 ORDINARY MEETING OF COUNCIL TIME

COUNCIL RESOLUTION

OCM-014-2023

Moved: Councillor Kingdon

Seconded: Councillor Bower

1. That Council approve changing the Ordinary Meeting of Council to 12.00pm.

CARRIED 5/0

Consideration as raised in public question time, livestreaming to be worked towards enabling again.

14.4 REPORT OF THE COMMUNITY SERVICES DEPARTMENT FOR THE MONTH OF FEBRUARY 2023

COUNCIL RESOLUTION

OCM-015-2023

Moved: Councillor Kingdon

Seconded: Councillor Bower

1. That Council receive and note the Community Services Department report for the Month of February 2023.

CARRIED 5/0

14.5 MONTHLY REPORT OF CORPORATE SERVICES FOR THE MONTH OF FEBRUARY 2023

COUNCIL RESOLUTION

OCM-016-2023

Moved: Councillor Kingdon

Seconded: Deputy Mayor Coburn

1. That Council receive and note the Corporate Services Report for the month of February 2023.

CARRIED 5/0

15 REPORTS FROM REPRESENTATIVES ON COMMITTEES

Nil

16 ELECTED MEMBERS ACTIVITIES

16.1 ELECTED MEMBER ACTIVITIES

COUNCIL RESOLUTION**OCM-017-2023****Moved:** Councillor Bower**Seconded:** Deputy Mayor Coburn

1. That Council receive and note the Elected Member activities for the period to 28 February 2023.

CARRIED 5/0

Noted the Special Meeting of Council was on the 7 March not 7 February 2023.

17 LATE AGENDA**17.1 REMUNERATION TRIBUNAL DETERMINATION - COUNCIL MEMBER ALLOWANCES FROM 1 JULY 2023****COUNCIL RESOLUTION****OCM-018-2023****Moved:** Councillor Kingdon**Seconded:** Councillor Trembath

1. That Council receive and note the
 - (a) new Determination of Allowances for members of Local Government Councils Determination No.1 of 2023, and
 - (b) Department of Chief minister and Cabinet Frequently Asked Question Fact Sheet.

CARRIED 5/0

Katherine is the only other Municipal council not having own category within the Allowances.

Council raised during consultation Taxation and Superannuation, both have not been considered and addressed within the determination. Council will continue to follow up.

17.2 FINANCE REPORT FOR THE MONTH OF FEBRUARY 2023**COUNCIL RESOLUTION****OCM-019-2023****Moved:** Councillor Kingdon**Seconded:** Councillor Trembath

1. That Council endorse the Finance Report for the Month of February 2023.

CARRIED 5/0

Council have recently moved three term deposits that expired from AMP to NAB. Raised that NAB are not part of the Katherine community and queried the ethical decision. Investments are in line

with council policy. NAB is one of big four banks, are secure and has best rates at the moment. Council could review its council policy in the future.

17.3 2021-2022 ACQUITTAL - LOCAL GOVERNMENT GRANT - FOOTPATH RENEWAL PROGRAM

COUNCIL RESOLUTION

OCM-020-2023

Moved: Councillor Kingdon

Seconded: Deputy Mayor Coburn

1. That Council receive and note that due to extenuating circumstances the report for the acquittal of the 2021-2022 Local Government Immediate Priority Grant – Footpath Renewal Program is overdue.
2. That Council accept the partial acquittal of the 2021-2022 Local Government Immediate Priority Grant – Footpath Renewal Program for \$189,707.72 and forward the overdue report, with an explanation of extenuating circumstances to the Department of the Chief Minister and Cabinet.
3. That Council request an extension from the Department of the Chief Minister and Cabinet for the 2021-2022 Local Government Immediate Priority Grant – Footpath Renewal Program to 30 June 2023.

CARRIED 5/0

Council will include future work in the next Municipal Plan and proactively seek funds.

18 GENERAL BUSINESS

Army Band will play in the town square on 27 May 2023. More information will be provided closer to the date.

Multicultural Festival Joy of Many Colours this weekend 1 April 3 – 6pm - venue change to the Katherine High School and is a free event.

Multicultural Festival Taste of Many Colours 2 April - 2 sessions 3 – 4.30pm and 4.30 – 6pm and is a free event.

Anzac Day on 25 April - Dawn service 6.00am. The parade will assemble at the BP end of town at 8.30am to step off at 9.00 am.

Pool party 14 April 3-6pm - The event is free and being held at the town pool.

Youth week 6 - 16 April - For more information of events go the council website.

The Food Collective on again in the Activate Katherine space - running from 18 May – 27 July. Anyone interested in having a food stall please contact Sinead at KTC on 8972 5500.

19 CLOSURE MEETING TO PUBLIC

The meeting was closed at 1.07pm.

19 CONFIDENTIAL ITEMS

Members, Council has resolved to use Section 99(2) of the Local Government Act 2019 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.

MOTION

Moved: Mayor Clark

Seconded: Deputy Mayor Coburn

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) - b, ci and ciii 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 personal circumstances of a resident or ratepayer;, information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person and information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff.

20.2 CENTENARY OF KATHERINE 2026 ADVISORY COMMITTEE MEMBER APPOINTMENTS

This matter is considered to be confidential under Section 99(2) - b 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 personal circumstances of a resident or ratepayer;.

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 2019 and regulations 51 of the Local Government (General) Regulations 2021.

20.2 CENTENARY OF KATHERINE 2026 ADVISORY COMMITTEE MEMBER APPOINTMENTS
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<u>COUNCIL RESOLUTION</u>

OCM-010-2023

Moved: Councillor Trembath

Seconded: Councillor Kingdon

1. That Council appoint Jenny Duggan to the Centenary of Katherine 2026 Advisory Committee to the position of representatives from community organisations working with the community or prominent and long-standing business in the region.
2. That Council approve releasing the resolution for member appointment to the Centenary of Katherine 2026 Advisory Committee to the public minutes.

CARRIED 5/0

21 RESUMPTION OF OPEN MEETING

Open meeting was resumed at 1.19pm.

22 NEXT ORDINARY MEETING OF COUNCIL

That the next meeting of the Ordinary Meeting of Council will be held on 26 April 2023 at 12.00pm.

21 CLOSURE OF MEETING

The meeting was closed at 1.20pm.

8 BUSINESS ARISING FROM PREVIOUS MINUTES

8.1 ACTION UPDATE

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023\OMC - AGENDA 2023 - APRIL/178155

AUTHOR : AMANDA HAIGH, EXECUTIVE AND GOVERNANCE OFFICER

AUTHORISER : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

ATTACHMENT/S : 1. ACTION - REPORT - 14 APRIL 2023.DOCX  

OFFICER RECOMMENDATION

1. That Council receive and note the update for business arising from previous Council meetings as at 14 April 2023.

PURPOSE

To provide council with an update of business arising from previous council meetings for action.

STRATEGIC PLAN

Priority One	Strong Leadership	Strong Leadership	Ensure strong internal governance with updated policies and procedures in place
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ACTIONS REPORT

Printed: 14 April 2023 11:06 AM

Meeting	Date	Officer	Title	Target
Council 14/12/2021	14/12/2021	Pearce, Brendan	TENDER 22/06 – MANAGEMENT SERVICES FOR KATHERINE CIVIL	10/02/2023

Notes
07 Feb 2023 3:19pm Haigh, Amanda

Res # 335 , 1. Subject to the approval of the Department of Defence (DoD), award Tender 2022-06 - Management Services for Katherine Civil Airport to Oz Airports for a period aligning with Council's lease with the DoD of the Civil Airport Site expiring 30 September 2027 for \$365,797.55 (ex GST), Three Hundred and Sixty-Five Thousand, Seven Hundred and Ninety-Seven dollars and Fifty-Five cents for Year One., 2. Council notes that the annual fee for subsequent years for the life of this Management Agreement through to its September 2027 expiry will be subject to annual Consumer Price Index (CPI) increases., 3. Council note that the Management Agreement has at the conclusion of the first period, the option to extend the Agreement for a further two, ten-year extensions, at Council's discretion and subject to the satisfactory performance of the incumbent., ACTION: upload on website awarded tender

Meeting	Date	Officer	Title	Target
Council 14/12/2021	14/12/2021	Singh, Avtar	Financial Sustainability Directions / Strategy	22/02/2023

Notes
08 Feb 2023 8:19am Haigh, Amanda

Res# 327, That Council resolves the following directions to enhance the Council's financial sustainability and that these actions be included in the 2022/23 and future Municipal Plans / Budgets as required;; 1. Council develops appropriate financial management reports on the nett cost of each service by 31st January 2022. , 2. Council undertakes a service review prioritisation process by 31st January 2022., 3. Council identifies owners of the \$120M in infrastructure, property, plant and equipment across all services by 31st March 2022. , 4. Council includes dedicated grant officer and asset management officer roles within the Organisation Chart as soon as possible, but no later than 1st July 2022., 5. Council develops Business Case Tools to ensure all Capital Expenditure is adequately assessed by 30th April 2022., 6. Council develops service statements for all external services provided to the Katherine Community by the 30th June 2022., 7. Council develops a community engagement mechanism to empower the community in decision making for Council services by 30th June 2022., 8. Council benchmarks its internal services to ensure overheads are at acceptable levels by 30th September 2022., 9. Council develops service KPI's for all services by 31st December 2022., 10. Council develops Asset Management Plans for all major classes of Assets by 30th June 2023., Council develops a continuous business improvement cycle for each service by 31st December 2023.

Meeting	Date	Officer	Title	Target
Council 26/04/2022	26/04/2022	Singh, Avtar	Major budget Review	17/04/2023

Notes
07 Feb 2023 3:13pm Haigh, Amanda

26.04.2022-OM14 , That Council adopts the 2021-2022 amended budget as presented within the revised statement of comprehensive income, statement of financial position, statement of cashflows and cost of services statement. , , ACTION: needs to be uploaded to website

13 Apr 2023 2:09pm Singh, Avtar - Target Date Revision

Target date changed by Singh, Avtar from 10 February 2023 to 17 April 2023 - In progress

Meeting	Date	Officer	Title	Target
Council 26/04/2022	26/04/2022	Pearce, Brendan	KATHERINE YOUTH SCULPTURE	10/02/2023

Notes
07 Feb 2023 3:16pm Haigh, Amanda

26.04.2022-OM6, That Council notes and approves the installation of a Youth Sculpture on Lot 3182, Katherine Railway Terrace as proposed in attachment 2. , , That Council authorises the Chief Executive Officer to confirm funding availability for the installation of a Youth Sculpture from the Big Rivers Department of the Chief Minister and Cabinet, Northern Territory Government and that safety concerns are addressed through the sign off by a structural engineer. Power and Water needs to be consulted before the final installation location is confirmed.

Meeting	Date	Officer	Title	Target
Council 26/07/2022	6/07/2022	Pearce, Brendan	KATHERINE CIVIL AIRPORT- LEASE RENEWAL INTENTIONS	13/02/2023

Notes
07 Feb 2023 3:05pm Haigh, Amanda

26-07-2022-OM11 That Council receive and accept the recommendation to advise the Department of Defence that at the expiration of the initial term of the lease of the Civil Area of RAAF Base Tindal (being 29 September 2027) that it wishes to exercise its option to renew the Lease for a further ten (10) year period.

Meeting	Date	Officer	Title	Target
Council 25/10/2022	25/10/2022	Pearce, Brendan	Request for Council support - Katherine Swimming Club Carnival	8/11/2022

Notes

ACTIONS REPORT

Printed: 14 April 2023 11:06 AM

Meeting	Date	Officer	Title	Target
22 Mar 2023 11:27am Haigh, Amanda advise if action completed				
23 Mar 2023 2:32pm Haigh, Amanda - Email Actions to be completed, updated				

Meeting	Date	Officer	Title	Target
Council 13/12/2022	13/12/2022	Pearce, Brendan	Proposed naming of Streets - Katherine East - Substage 3	27/12/2022
Notes 22 Mar 2023 11:28am Haigh, Amanda advise if requestor has been notified 23 Mar 2023 2:32pm Haigh, Amanda - Email Actions to be completed, updated				

Meeting	Date	Officer	Title	Target
Council 24/01/2023	24/01/2023	Pearce, Brendan	Consent to declare a portion of Chardon St Katherine East a Public Road	7/02/2023
Notes 22 Mar 2023 11:29am Haigh, Amanda advise if action has been taken 23 Mar 2023 2:32pm Haigh, Amanda - Email Actions to be completed, updated				

Meeting	Date	Officer	Title	Target
Council 24/01/2023	24/01/2023	Boon, Virginia	INFRASTRUCTURE AND ENVIRONMENT REPORT FOR THE MONTH OF DECEMBER 2022	7/02/2023
Notes 01 Feb 2023 1:27pm Haigh, Amanda 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. 23 Mar 2023 2:32pm Haigh, Amanda - Email Actions to be completed, updated				

Meeting	Date	Officer	Title	Target
Council 24/01/2023	24/01/2023	Pearce, Brendan	Acquittal of Special Purpose Grant for Stage 1 Consultancy - Big Rivers Materials Recovery Facility	7/02/2023
Notes 22 Mar 2023 11:30am Haigh, Amanda has acquittal been submitted to CMC and request to extend 23 Mar 2023 2:32pm Haigh, Amanda - Email Actions to be completed, updated				

Meeting	Date	Officer	Title	Target
Council 28/06/2022	28/06/2022	Singh, Avtar	WRITE – OFF OF BAD DEBTS	16/05/2023
Notes 07 Feb 2023 3:08pm Haigh, Amanda 28.06.2022-OM10 That Council: , 1. Note that this paper represents certification by the Chief Executive, in accordance with Section 32(2)(b) of the Local Government (General) Regulations 2021, that reasonable efforts have been made to recover the debts identified above, and these debts are either unrecoverable or not economical to pursue. , 2. Approve write-off of \$10,799.89 - 15 debts as reflected in the above table under Section 32(1) of the Local Government (General) Regulations 2021. 13 Apr 2023 2:10pm Singh, Avtar - Target Date Revision Target date changed by Singh, Avtar from 10 February 2023 to 16 May 2023 - In progress				

Meeting	Date	Officer	Title	Target
Council 28/02/2023	28/02/2023	Boon, Virginia	Sports Ground Advisory Committee Nominations	14/03/2023
Notes 09 Mar 2023 8:35am Haigh, Amanda Committee membership register requires updating 23 Mar 2023 2:32pm Haigh, Amanda - Email				

ACTIONS REPORT

Printed: 14 April 2023 11:06 AM

Meeting	Date	Officer	Title	Target
Actions to be completed, updated				

Meeting	Date	Officer	Title	Target
Council 28/02/2023	28/02/2023	Anderson, Casey	Customer Service Charter	14/03/2023
Notes 09 Mar 2023 8:59am Haigh, Amanda - Email Actions from council meeting 23 Mar 2023 2:32pm Haigh, Amanda - Email Actions to be completed, updated				

Meeting	Date	Officer	Title	Target
Council 28/02/2023	28/02/2023	Jennings, Rosemary	CENTENARY OF KATHERINE 2026 ADVISORY COMMITTEE MEMBER APPOINTMENTS	14/03/2023
Notes 20 Mar 2023 3:19pm Haigh, Amanda - Reallocation Action reassigned to Jennings, Rosemary by Haigh, Amanda - the committee falls under Community Services 23 Mar 2023 2:33pm Haigh, Amanda - Email Actions to be completed, updated				

Meeting	Date	Officer	Title	Target
Council 28/03/2023	28/03/2023	Boon, Virginia	SHOW GROUNDS ADVISORY COMMITTEE NOMINATIONS	11/04/2023
Notes 30 Mar 2023 3:15pm Haigh, Amanda please add new members to advisory committee register, and note that did not approve a person for AFLNT				

Meeting	Date	Officer	Title	Target
Council 28/03/2023	28/03/2023	Jennings, Rosemary	CENTENARY OF KATHERINE 2026 ADVISORY COMMITTEE MEMBER APPOINTMENTS	11/04/2023
Notes				

9 MAYORAL BUSINESS

9.1 MAYORAL ACTIVITIES

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023\OMC - AGENDA 2023 - APRIL/178130

AUTHOR : AMANDA HAIGH, EXECUTIVE AND GOVERNANCE OFFICER

AUTHORISER : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

ATTACHMENT/S : NIL

OFFICER RECOMMENDATION

1. That Council receive and note the Mayoral activities for the period to March 2023.

PURPOSE OF REPORT

To provide an update on the Mayoral activities and engagements since the last Council meeting. The elected member reporting obligation forms part of the Katherine Town Council's Annual Report to the community, outlining elected members contribution to the Town council's service delivery.

STRATEGIC PLAN

Priority One	Strong Leadership	Strong Leadership	Strengthen our councillor profiles to increase community awareness of who they are
Priority One	Strong Leadership	Strong Leadership	Learn what the community wants to know through community engagement strategies.
Priority One	Strong Leadership	Partner in progress	Act as a connector on key issues affecting the community as a member in key reference groups
Priority Two	Community and Families	Prioritise Recreation	Promote an active community with family events, festivals, live music and sports
Priority Three	Sports and Civic Events	Sports and Civic Events	Hold events throughout the year that acknowledge themes that are important to our town and its residents, such as memorial days
Priority Five	Arts, Culture and Heritage	Support Culture	Celebrate culturally important days
Priority Six	Big Rivers Inter-Government Collaboration	Inter-Government Collaboration and Advocacy	Advocate for the interests of our community

Mayor Elisabeth Clark

Date	Activity attended
2nd March 2023	Meeting with Museum
2nd March	Meeting re amendments to Water Legislation
3rd March	Invitation to attend 75 th Squadron celebrations, RAAF base
6th March	Meeting with Katherine Police
7th March	Special Meeting of Council – Motion for LGANT
7th March	Top Didj Art Exhibition for International Women’s Day
8th March	Katherine South Primary School Leadership Awards
8th March	KTC’s International Women’s Day morning tea – Godinymayin Centre
8th March	Showgrounds Advisory Meeting
10th March	Change of Command Ceremony – RAAF – New SADFO
11th March	Come and Try Sports Expo
13th March	EMIS including Presentation from YMCA
15th March	Women in Business Lunch at Kumbidgee
15th March	Meeting with Neighbourhood Watch
15th March	Meeting with Mayor and CEO – City of Palmerston
16th March	Tour of Council areas with Mayor and CEO – City of Palmerston.
17th March	Department of Health – Aged Care Reforms
20th March	National Indigenous Australian Agency replacing CDP – Knotts Crossing
21st March	Harmony Day Citizenship Ceremony with Administrator His Honourable Professor Hugh Heggie and Ms Jones
23rd March	Water Resources Meeting
26th March	Painting Large tubs for Activate Katherine
27th March	EMIS
28th March	Council Meeting
28th March	Meeting with Executive Director, Local Government Unit, Department of the Chief Minister and Cabinet
30th March	Chamber of Commerce and CDU – Business at Sunset

10 CORRESPONDENCE AND DOCUMENTS TO BE TABLED







10.1 CORRESPONDENCE AND DOCUMENTS

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023\OMC - AGENDA 2023 - APRIL/178151

AUTHOR : AMANDA HAIGH, EXECUTIVE AND GOVERNANCE OFFICER

AUTHORISER : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

ATTACHMENT/S :

1. LETTER - MINISTER FOR LG - LG IMMEDIATE PRIORITY GRANT APPROVAL 2022-2023 - \$160220 - SPG FENCING RENEWAL PHASE 1 - _38E16B24.PDF  
2. LETTER - LENDLEASE - TINDAL TRY'A TRADE INVITATION - 30 MARCH 2023.PDF  
3. LETTER - HERITAGE COUNCIL - HISTORIC AIRCRAFT WRECKS - 11 APRIL 2023.PDF  

OFFICER RECOMMENDATION

1. That Council receive and note the Correspondence and Documents:
 - (a) Letter – Minister for Local Government - Local Government Immediate Priority Grant 2022-23 - \$160 220 Katherine sports precinct fencing renewal phase 1 – 20 March 2023,
 - (b) Letter – Lendlease - Tindal Try'a Trade Invitation – 30 March 2023, and
 - (c) Letter – Heritage Council - Historic Aircraft Wrecks – 6 April 2023.

PURPOSE OF REPORT

To provide the Official Correspondence and Documents.

INCOMING

#	Type	Date	From	Title	MagiQ Id
1	Letter	20 March 2023	Minister for Local Government	Local Government Immediate Priority Grant 2022-23 - \$160 220 Katherine sports precinct fencing renewal phase 1	177459
2	Letter	30 March 2023	Lendlease	Tindal Try'a Trade Invitation	178275
3	Letter	6 April 2023	Heritage Council	Historic Aircraft Wrecks	178131



MINISTER FOR LOCAL GOVERNMENT

Parliament House
State Square
Darwin NT 0800
minister.paech@nt.gov.au

GPO Box 3146
Darwin NT 0801
Telephone: 08 8936 5688

RECEIVED
23 MAR 2023

BY:

Ms Ingrid Stonhill
Chief Executive Officer
Katherine Town Council
PO Box 1071
KATHERINE NT 0851

Dear Ms Stonhill *Ingrid,*

Thank you for the funding applications submitted for the Local Government Immediate Priority Grants for 2022-23.

I am pleased to advise that I have approved the following Local Government Immediate Priority Grants to your council:

- \$160 220 – towards the Katherine sports precinct fencing renewal (phase 1).

Your council will receive further correspondence from the Department of the Chief Minister and Cabinet regarding payment of these grants.

Yours sincerely



CHANSEY PAECH

20 MAR 2023

30 March 2023

Ms Ingrid Stonhill
Chief Executive Officer
Katherine Town Council



Via email: Ingrid.Stonhill@ktc.nt.gov.au

Dear Ms Stonhill,

As you may know, Lendlease has a deep commitment to our sovereign Defence capability and the Northern Territory with our current package of works on RAAF Base Tindal, where we are undertaking a major redevelopment of the Base and infrastructure upgrades to the airfield in an effort to enhance air combat capability in Australia's north.

On Thursday, 24 August 2023, we'll once again be hosting our annual *Try'a Trade Day* at RAAF Base Tindal. This interactive career event is being delivered in partnership with the Commonwealth Department of Defence and the NT Department of Education and will showcase construction and Defence industry vocations and training opportunities to help young people throughout the Northern Territory make informed decisions about their careers. It also provides opportunity to upskill the region and increase local capacity to deliver new infrastructure projects like RAAF Tindal, as well as cater for the ongoing sustainment of this large estate in a remote region.

This year's event will be bigger and better than ever, and forms part of the Department of Education's Big Rivers Careers Week that takes place during National Skills Week. Our *Try'a Trade* event is set to be the main event of the week and is expected to attract 300 students from the Katherine and Big Rivers regions. In 2022, we had some groups travelling up to 12 hours to attend, resulting in multiple registrations to the Lendlease jobseeker database and expressions of interest to join the Australian Defence Force via the Defence Recruiting Team.

Given the relevance of the day to your city we invite you to join this event. Please reach out to Jock Rice-Ward (jock.riceward@lendlease.com) directly to confirm if you are available to attend. In the meantime, please do not hesitate to contact us, Lendlease stand ready and able to assist wherever appropriate.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Dale Connor".

Dale Connor
Chief Executive Officer
Lendlease Australia

Lendlease Corporation Limited ABN 32 000 226 228; and
Lendlease Responsible Entity Limited ABN 72 122 883 185 AFS Licence 308983
as responsible entity for **Lendlease Trust** ABN 39 944 184 773 ARSN 128 052 595
Level 14, Tower Three, International Towers Sydney, Exchange Place
200 Barangaroo Avenue, Barangaroo NSW 2000 Australia. www.lendlease.com

Heritage Council

Northern Territory

Postal address GPO Box 4198
Darwin NT 0801
Tel 08 8999 5039

Email heritagecouncil@nt.gov.au

Ms Ingrid Stonhill
Chief Executive Officer
Katherine Town Council

Ingrid.Stonhill@ktc.nt.gov.au

Dear Ms Stonhill

Historic Aircraft Wrecks

I am writing to advise you that the Northern Territory Heritage Council is seeking submissions as to whether all historic aircraft wrecks throughout the Northern Territory should be declared as a 'protected class of place'.

A fact sheet is attached to this letter, and further information can be found at [\(link\)](#).

Please note that submissions close on **8 May 2023**.

If you have queries about this matter, please contact Dr David Steinberg, Senior Heritage Officer, Heritage Branch, on 8999 5086 or at david.steinberg@nt.gov.au.

Yours sincerely



Allan McGill
Chairperson

6 April 2023

Historic aircraft wrecks

The Northern Territory Heritage Council is seeking submissions as to whether historic aircraft wrecks throughout the Northern Territory should be declared as a 'protected class of place'.

What is an 'historic aircraft wreck'?

The definition of 'historic aircraft wrecks' being used by the Heritage Council is:

The physical location and surviving in situ remains of aircraft wrecks that are at least 50 years old.

There is no intent to protect wreckage that has been removed from a crash location, and is now held in a museum or elsewhere. Also, if an aircraft crashed and all the wreckage has been removed, there is no intent to protect the place where the aircraft crashed.

What legislation is the Heritage Council using?

The Council is using, for the first time, provisions in the Northern Territory *Heritage Act 2011* that are intended to protect classes of places where there is a high degree of consensus about their value, and where protection of individual sites may not be practical (in some cases because their existence is unknown).

These provisions enable the Council to consider whether a 'class of place' may be of heritage significance, and to seek submissions as to whether that class of place should be a 'protected class of place'.

What sort of protection is proposed?

If historic aircraft wrecks are declared as a 'protected class of place' under the *Heritage Act 2011*, then they will be protected in exactly the same way as other 'heritage places' in the Act. That means it will be an offence to disturb any historic aircraft wreck without permission.

Do we know how many historic aircraft wrecks there are?

Yes, we have a very good idea. Records indicate that there are **246** aircraft wreck sites within the boundaries of the Northern Territory. The vast majority are from World War II. We know where **164** of these wrecks are – others are yet to be located.

Does the proposal include wrecks underwater?

Yes. The *Heritage Act 2011* applies throughout the Northern Territory, including Northern Territory waters. That includes Darwin Harbour and waters up to three nautical miles (or about 5.5km) from the coastline.

Almost all of the historic aircraft wrecks that are yet to be located are underwater.

If historic aircraft wrecks were protected, what would it mean for landowners?

In most cases, this proposal would have very little effect on landowners.

There are a small number of landowners in the Northern Territory that have historic aircraft wrecks on their property that they already know about. This proposal will bring new protections, and will mean that if the owner wants to disturb the wreck, certain processes have to be followed.

There is always the possibility of an unexpected discovery of an aircraft wreck. However, virtually every historic aircraft wreck on land has already been located.



Historic aircraft wrecks

What about underwater wrecks?

Records indicate that there are 75 aircraft wrecks that are underwater off the Northern Territory coast, yet to be located.

Anyone proposing work such as dredging or building an underwater pipeline in Territory waters will have to factor in the possibility of the unexpected discovery of an aircraft wreck. They would be expected to avoid impact on the wreck. If, for some reason, avoiding impact was impossible, then permission would need to be sought to disturb the wreck.

Disturbance would be strongly discouraged, partly because in some cases these wrecks may still contain the remains of crew that went down with the plane when it crashed.

Who gets to make the final decision about whether historic aircraft wrecks are protected?

The Minister for Arts, Culture and Heritage has the final decision. The Minister is obliged to consider all submissions made during the public submission period before he makes his decision.

How can I get further information?

You can view a copy of the Statement of Heritage Value, and a copy of the Assessment Report that was considered by the Heritage Council in relation to historic aircraft wrecks by going to tfhc.nt.gov.au/proposed-heritage-declarations.

How do I have my say?

Submissions can be made to the Heritage Council by email or post.

- Email: heritagecouncil@nt.gov.au
- Hard copy submissions should be sent to:
Heritage Council
PO Box 4198
Darwin NT 0801

Submissions must be received by **Monday 8 May 2023** and should be addressed to the Chairperson of the Heritage Council.

For further information contact the Heritage Branch on (08) 8999 5039 or email heritage.branch@nt.gov.au

11 PETITIONS

12 PUBLIC QUESTION TIME (MATTERS REFERRED TO THE AGENDA)

Council would like to advise and encourage members of public to raise questions relating with the agenda.

Questions can be submitted in writing via email (records@ktc.nt.gov.au), online (www.katherine.nt.gov.au), via phone (08 8972 5500), in person at the Civic Centre OR at the Ordinary Meeting of Council.

13 NOTICE OF MOTION

Nil

14 REPORTS OF OFFICERS

14.1 CHIEF EXECUTIVE OFFICER REPORT

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023/178196

AUTHOR : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

AUTHORISER : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

ATTACHMENT/S : NIL

OFFICER RECOMMENDATION

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

PURPOSE OF REPORT

To provide focus to significant areas of operation within Council, for the period March/April 2023.

STRATEGIC PLAN

Priority One	Strong Leadership	Strong Leadership	Ensure strong internal governance with updated policies and procedures in place
Priority Three	Sports and Civic Events	Sports and Civic Events	Hold events throughout the year that acknowledge themes that are important to our town and its residents, such as memorial days
Priority Six	Big Rivers Inter-Government Collaboration	Collaborate with Regional Councils	Work in partnership with the Big Rivers regional councils on primary issues affecting the region

DISCUSSION

Katherine Town Council, for the first time, have submitted a team into the Local Government Professionals, Australian Management Challenge. A consultation with staff saw the formation of the Katherine Knights team, consisting of Sharna Ross, Amanda Haigh, Cheriece Fry, Casey Anderson and Rosemary Jennings. The CEO holds the position of mentor. The competition will take place in Darwin on Tuesday May 2nd. Preparations and training are underway.

The CEO worked with a good of staff to obtain a Diploma of Leadership. The final assessments have taken place and we are awaiting final results.

We have taken on a short-term contract position of an Economic Development Officer to assist with funding applications and scoping of economic development opportunities and future projects. These include the \$10 million election upgrade commitment, NTG pool funding, Regional Development Funding for economic opportunities around the Agri Hub.

Katherine Town council was successful in receiving funding from the Local Government, Department of the CM & C Priority Funding, for the commencement of new fencing for the outer perimeter of the Sportsground. However, KTC were not successful in receiving funds for the up grade of the public areas of the 42 year old Civic Offices. It is a very disappointing outcome and we have requested assistance from Local Government, Department of C M & C.

KTC have been successful with funding from the Big Rivers Region, C M & C for additional solar lights, skate park minor upgrades, assistance to Laneway closures and the voluntary Night Owl program. We are most grateful to C M & C for their willingness to support Council in addressing priority areas for public safety.

We have had no success with advancing any concerns and or projects with Department of Infrastructure and Planning. We have been waiting for five months for signoff to use the “rapid response buggy”. We requested 10 months ago permission to erect highway trivia signs entering Katherine from all main DIPL roads. These signs are used in many other states and are identified as effective measures for keeping driver’s alert. Council requested DIPL investigate the right-hand turn (heading north) into council premises from the DIPL Highway. This is a particularly dangerous turn during peak tourist season. This request goes hand in hand with the request to DIPL to improve the no stopping signage within the slip lane opposite the council turnoff. This is a constant “near miss” area. No action has been taken by Dipl. Council wrote to the Chief Executive Officer of Department of Infrastructure, Planning and Logistics in February 2023 regarding the poor condition of the Katherine Levy Drain. A discussion was recommended between KTC and Big Rivers DIPL office regarding better maintenance of the drain. No satisfactory outcome has been reached. KTC made application to DIPL to hold a series of “sunset events” over the peak tourism season, located on the old railway bridge. It is disappointing to note that this was unable to be granted in a way to enable these “activate Katherine” events to be developed to add value to Katherine as a tourist destination. We requested DIPL make good, the flooding that now occurs at the Lindsay Street complex, since the Levy wall was erected. This has not been addressed.

Council staff are currently working on their service delivery and project priorities in line with the annual budget process and the council’s strategic plan. These will be available for the community consultation and elected member consultation processes next month.

We care currently working on a by-election marketing campaign to bring to the fore people’s responsibility to vote during the by-election. We will be releasing this campaign for the community by the end of the month.

Council will be addressing its compliance requirement to conduct a full asset valuation process. This is a compliance requirement.

Council is still struggling to attract experienced staff to fulfil its current vacancies. Council is working with LGANT, and the big Rivers Region to address this issue.

There are a number of significant projects of council, that will be reported on in individual department reports and the CEO’s confidential reports.

COUNCIL OFFICER CONFLICT OF INTEREST

Nil

14.2 ELECTED MEMBER CONFLICT OF INTEREST POLICY

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023\OMC - AGENDA 2023 - APRIL/178215

AUTHOR : AMANDA HAIGH, EXECUTIVE AND GOVERNANCE OFFICER

AUTHORISER : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

ATTACHMENT/S : 1. POLICY - ELECTED MEMBERS CONFLICT OF INTEREST - V1.DOCX [↓](#) 

OFFICER RECOMMENDATION

1. That Council approve the Elected Members Conflict of Interest Policy Version 1.

PURPOSE OF REPORT

To seek Council approval of the new Conflict of Interest – Elected Members Policy.

STRATEGIC PLAN

Priority One	Strong Leadership	Strong Leadership	Ensure strong internal governance with updated policies and procedures in place
Priority Four	Growth and Sustainability	Lead with Best Practice	Regularly update our workplace policies and procedures, and Council bylaws

BACKGROUND

As part of recent reviews of Council's governance policies, the Conflict of Interest Policy was identified for review and updating.

The Conflict of Interest Policy outlines how to identify, consider, and manage any actual, potential or perceived conflicts of interest that may occur when undertaking official Council duties. It was last reviewed in 2015.

DISCUSSION

Avoiding conflicts of interest is an important factor in public decision making. This is particularly important at local government level, where elected members have interests in the local area and close connections within the local community.

The revised policy has changed from the former single policy in several key areas:

- **Now reflects the *Local Government Act 2019*** and clarify the connection to a range of associated policies that apply to elected members.

- **There are now separate policies** to cover elected members, and employees and the CEO, as the Act sets out different provisions for these parties regarding conflicts of interest.
- **Provides examples of financial and non-financial interests.**

POLICY IMPLICATIONS

The policy will replace the Katherine Town Council - Conflict of Interest Policy - August 2015 (Version 2).

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

The *Local Government Act 2019* requires elected members to disclose their conflicts of interest in two ways.

Section 111 requires elected members to provide the Chief Executive Officer with an annual return of interests within 60 days of being elected, or September 30 in a non-election year. This annual return is also published on Council's website.

Sections 115 and 116 require an elected member to disclose a conflict of interest as soon as they become aware of it, and this will be noted in a register of declared conflicts which is published on Council's website. The order of business for Ordinary Meetings of Council provide an opportunity for elected members to declare conflicts of interest.

COUNCIL OFFICER CONFLICT OF INTEREST

We the Author and Approving Officer declare we do not have a conflict of interest in relation to this matter.



KATHERINE
TOWN COUNCIL

COUNCIL POLICY

Draft version 1

CONFLICTS OF INTEREST – ELECTED MEMBERS

Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Chief Executive Officer		
Approval Date:		Next Review:	
Records Number:		Council/CEO Decision:	Council
Legislation Reference:	Sections 114-117 of the <i>Local Government Act 2019</i>		

1 PURPOSE

The community has the right to expect that Elected Members of Katherine Town Council perform their duties in a fair and unbiased way and that the decisions they make are not affected by self-interest or personal gain. Conflicts of interest can arise when elected members are influenced, or appear to be influenced, by personal interests when doing their jobs. The perception of a conflict of interest can be as damaging as an actual conflict because it undermines public confidence in the integrity of Council.

The purpose of this policy is to set out a framework to guide the elected members of Katherine Town Council to ensure that any actual, potential or perceived conflicts of interest are appropriately identified, considered and managed.

2 SCOPE

This policy applies to all Elected Members of Council.

3 DEFINITIONS

Associate means the definition outlined at Section 8 of the *Local Government Act 2019*.

Conflict of Interest means a situation in which an individual's private interests interfere, or appear to interfere, with their duty to put the public interest first. It refers to circumstances where an elected member of council is, or could be, influenced by a private interest when performing an official function.

Financial interests mean the following (not exhaustive):

- shares
- trustee or beneficiary of a family or business trust
- owner of real estate
- directorship of a company
- partnership

- substantial source of income (eg additional employment)
- debts.

Non-financial interests mean the following (not exhaustive):

- effects on or from family or spouse/partner, friends or associates
- political membership
- other memberships of another organisation (not for profit, sporting bodies, clubs and associations)
- hostility or competition with another individual, family or group
- future employment or business ventures.

4 DETAILS

Council provides a diverse range of services and is trusted with a range of decision-making powers so that it can govern in the best interests of the Katherine community. These powers must be exercised properly and impartially, with integrity and in accordance with the *Local Government Act 2019*.

Avoiding conflicts of interest is an important factor in public decision making. This is particularly important at local government level, where councillors and staff have interests in the local area and close connections within the local community.

WHAT IS A CONFLICT OF INTEREST?

Sometimes elected members are asked to make choices that affect both the community and their own interests. If members have either a financial or non-financial interest in a decision, they should appropriately disclose this interest and not participate in the decision-making process.

An elected member has a conflict of interest in a question arising for decision by the audit and risk management committee, Council or a council committee if the elected member, or an associate of the elected member, has any of the following interests in how the question is decided:

- a direct interest
- an indirect financial interest
- an indirect interest by close association
- an indirect interest due to conflicting duties.

A direct interest occurs when an elected member is likely to be directly affected if the matter is decided in a particular way. These can affect financial or non-financial interests.

Indirect financial interest occurs when an elected member is likely to receive a benefit or incur a loss because another person has an interest, for instance owning shares in a company tendering for contract being decided by Council.

Indirect interest by close association occurs when an associate of an elected member has a direct or indirect interest, or a resident of the member's household has a direct interest.

Indirect interest due to conflicting duties occurs when an elected member is a director, partner, agent, trustee, manager, office holder or employee of a person or entity, including a non-profit body or association, that has a direct interest.

TYPES OF CONFLICT OF INTEREST

Conflicts can be actual, potential, or perceived.

An **actual** conflict occurs when the elected members public duties conflict with their private interests at the time a decision is being made.

A **potential** conflict occurs when an elected member considers their private interests and associations and can reasonably anticipate the possibility these could unduly influence their public duties. The link must be reasonably foreseeable and not remote. Steps can then be taken to mitigate any risk.

A **perceived** conflict occurs when it could be perceived by a fair-minded, impartial person that a conflict between the elected members private interests is present and could improperly influence their decisions or actions, or the actions or decisions of Council.

All conflicts of interest need to be disclosed. The key is to determine whether the situation is likely to interfere or appear to interfere with the independent judgment elected members are required to demonstrate in performing their official duties.

WHAT IS NOT A CONFLICT OF INTEREST?

Section 114(2) of the *Local Government Act 2019* states that a conflict of interest does not apply in some situations, for example:

- if the elected member's interest is a common interest that is shared with the general public or other ratepayers, or
- is so remote or insignificant that it could not reasonably be regarded as likely to influence a decision.

DISCLOSE AND MANAGE A CONFLICT OF INTEREST

The *Local Government Act 2019* requires elected members to disclose their conflicts of interest in two ways.

Section 111 requires elected members to provide the Chief Executive Officer with an annual return of interests within 60 days of being elected, or September 30 in a non-election year. This annual return is also published on Council's website.

Sections 115 and 116 require an elected member to disclose a conflict of interest as soon as they become aware of it, and this will be noted in a register of declared conflicts which is published on Council's website. The order of business for Ordinary Meetings of Council provide an opportunity for elected members to declare conflicts of interest.

The elected member must also tell other members at the meeting before the matter is talked about and leave the meeting room while that decision is being talked about or voted on so that the decision cannot be influenced.

FAILURE TO COMPLY

The *Local Government Act 2019* provides a range of penalties if elected members fail to comply with disclosing conflicts of interest, or intentionally engage in conduct that results in a failure to disclose a conflict of interest, including fines or imprisonment, or losing their position on Council.

Irregularities that appear to involve improper conduct must also be reported to the Minister and the Independent Commissioner Against Corruption (ICAC).

5 ASSOCIATED POLICIES/DOCUMENTS

Code of Conduct for Elected Members
 Gifts and Benefits policy – elected members
 Annual return of interests
 Register of declared conflicts
 Fraud and Corruption Control policy

6 REFERENCES AND RELATED LEGISLATION

Local Government Act 2019
 Local Government (General) Regulations 2021
Independent Commissioner Against Corruption Act 2017

Revision History

Version	Approval date	Details of change	Responsible officer
1	XXXX	Created	CEO

CONFLICTS OF INTEREST – ELECTED MEMBERS













14.3 FINANCIAL MANAGEMENT POLICIES

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023\OMC - AGENDA 2023 - APRIL/178213

AUTHOR : AMANDA HAIGH, EXECUTIVE AND GOVERNANCE OFFICER

AUTHORISER : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

ATTACHMENT/S :

1. RATING STRATEGY AND POLICY_V6_FINAL DRAFT.DOCX  
2. BORROWING POLICY_V2_FINAL DRAFT.DOCX  
3. INVESTMENT POLICY_V3_FINAL DRAFT.DOCX  
4. RESERVES POLICY_V1_FINAL DRAFT.DOCX  
5. LEASING POLICY_V2_FINAL VERSION.DOCX  
6. FINANCIAL SUSTAINABILITY POLICY_V1_FINAL DRAFT.DOCX  

OFFICER RECOMMENDATION

1. That Council:
 - (a) Notes that an Accounting and Policy Manual is no longer required under Northern Territory local government legislation,
 - (b) Approves the Rating Strategy and Policy version 6,
 - (c) Approves the Borrowing Policy version 2,
 - (d) Approves the Investment Policy version 3,
 - (e) Approves the Reserves Policy version 1,
 - (f) Approves the Leasing Policy version 2, and
 - (g) Approves the Financial Sustainability Policy version 1.

PURPOSE OF REPORT

To seek Council approval of several revised and new financial management policies to ensure Council has a financially sustainable base to provide services and operations for the Katherine community, now and into the future.

STRATEGIC PLAN

Priority One	Strong Leadership	Strong Leadership	Ensure strong internal governance with updated policies and procedures in place
Priority Four	Growth and Sustainability	Lead with Best Practice	Regularly update our workplace policies and procedures, and Council bylaws

Priority Four	Growth and Sustainability	Lead with Best Practice	Be prudent with our financial management for stronger returns for ratepayers and sustainable long-term finances with current risk management practices current at all times.
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BACKGROUND

As part of recent reviews of Council’s governance policies, all financial management policies are being progressively reviewed.

Under the now repealed *Local Government Act 2008* and Local Government (Accounting) Regulations 2008, Council was required to have an approved Accounting and Policy Manual outlining all financial management operational rules. The current manual is a very detailed document and runs to more than 200 pages.

In the new *Local Government Act 2019*, it is no longer a requirement to have a detailed Accounting and Policy Manual. However, Council must implement the principles of sound financial management. These include managing financial risks, pursuing spending and policies that are consistent with a reasonable degree of stability, ensuring decisions are made with future generations in mind and openly disclosing financial information through publishing annual budgets and financial statements.

There are several strategic financial management policies required to achieve a level of transparency in the way Council manages its finances.

DISCUSSION

There are six key financial management policies to enable Council to strategically manage its finances. These are:

1. Rating Strategy and Policy
2. Borrowing Policy
3. Investment Policy
4. Reserves Policy
5. Leasing Policy, and
6. Financial Sustainability Policy.

Rating Strategy and Policy

Council rates are a property tax. Rates are paid by all property owners within the Katherine municipality to help pay for services provided by Council and to maintain local roads, council facilities and public open spaces such as parks and gardens. Property owners (ratepayers) in Katherine municipality pay rates based on an assessed value of their property. Rates are the major revenue source for the delivery of Council services and activities.

Each year Council seeks to raise an amount in general rate revenue that will provide a level of funding to enable Council to meet all its operating expenses (including depreciation) and to make a significant contribution towards the capital works program. Council endeavours to ensure that annual rate increases are reasonable and consistent across all land types.

Council will review its approach to the setting of rates annually, as part of the annual Municipal Plan and Budget and when reviewing the Long-Term Financial Plan. Council will continue to actively seek alternate funding sources to reduce the impact of the rate burden on the community.

Council prepares a budget for each financial year which determines how much it needs to raise in rates. The total amount of money to be raised in general rates is divided by the total value of all rateable properties in Katherine municipality. The resulting figure is called the 'Rate in the Dollar'.

Council then determines how much each property would need to pay by multiplying the 'Rate in the Dollar' by the Unimproved Capital Value of each property. If the rates are lower than a certain amount, a minimum rate would apply. Council publishes the amount of rates for each relevant category through the annual Rates Declaration.

The Rating Policy and Strategy outlines Council's approach to setting rates and waste collection charges, including rating categories, the rate assessment record, interest penalty for late rate payment and information for ratepayers experiencing financial difficulties. The policy is reviewed annually.

Borrowing Policy

Loan borrowing is accepted by Council as an appropriate and responsible funding method to be applied to meet Council's long term strategic objectives and financial responsibilities. The *Local Government Act 2019* provides Council the power to borrow and *Ministerial Guideline 3: Borrowing* sets out the requirements to be followed when Council is seeking to borrow funds.

When borrowing funds, Council must exercise reasonable care and diligence that a prudent person would exercise. Borrowings are not a form of revenue and do not replace the need for Council to generate sufficient operating revenue to service its operating requirements.

Council will restrict all borrowings to expenditure on identified capital projects that are considered by Council to be of the highest priority, and which cannot be funded from revenue, as identified by the adopted budget.

All new borrowings will be identified in the Municipal Plan and Budget for the year in which the funds are proposed to be borrowed, thus undergoing a period of public consultation.

The Borrowing Policy provides guidance in relation to the purpose of borrowing and details the conditions under which borrowing can be used as a source of finance by Council. The policy is reviewed every four years.

Investment Policy

Council can generate income through prudent investment of funds, while ensuring sufficient liquidity for Council's day to day operational commitments and limiting unnecessary exposure to risk.

While exercising the power to invest, consideration will be given to value for money including the preservation of capital, liquidity, the return on investment and the investment institution's demonstration of local contribution through community benefits.

The Investment Policy outlines how Council's investments will be managed, the principles that Council will apply in relation to balancing investment risk and return, identification of approved and prohibited investments and reporting requirements. The policy is reviewed every four years.

Reserves Policy

Council recognises that to ensure the long-term sustainability of the Council, it needs to establish cash backed reserves to help smooth out funding requirements for major projects or contingencies. Council will create reserves where surplus operating cash can be put to one side to be allocated to future expenditures.

In line with good governance and proper risk management, Council will consider an appropriate level of reserves for its circumstances, as well as a strategy for building or spending its reserves in a way that is consistent with its strategic plan.

Reserves help to maintain financial stability and allow Council to meet its commitments, continue to undertake work and deliver services, or when unexpected events or costs arise.

The total of all reserves shall not exceed the current assets less current liabilities held by Council.

Council has established a number of reserves and these are reported in the annual budget and financial statements. All transfers must be authorised by Council resolution, except for the asset revaluation reserve which must be managed in accordance with the Australian Accounting Standards.

The Reserves Policy is a new policy that outlines Council's commitment to the creation and maintenance of financial reserves and how the reserve funds will be increased and decreased. The policy will be reviewed every four years.

Leasing Policy

Council has an extensive property portfolio comprising freehold buildings, public open space and reserves which it issues various leases, licenses, and permits for periods of occupation.

Leases enable Council to encourage optimal use of Council buildings and public land to cater for a range of user groups while obtaining a contribution from users for the costs of providing the facilities. This helps to facilitate economic development and encourage and support investment and employment opportunities in Katherine.

While Council seeks to provide the best value to the community through seeking a market rent return on leased property, Council recognises the social, cultural and recreational benefits of services and activities organised and provided by community groups and not-for-profit organisations and it may subsidise rent for these groups where Council agrees it is appropriate. Leasing of buildings and public land in control and management of Council will be undertaken in full consultation with major stakeholders including community representatives and in accordance with relevant legislation.

The Leasing Policy outlines the key elements of Council's management of long-term leases and provides Council with a framework to support the equitable, efficient and effective management of Council owned and managed buildings and public land. It is reviewed every four years.

Financial Sustainability Policy

Council delivers essential services to the Katherine community. These services are often infrastructure related. Many factors, including population scale and density, geographic location, industry structure and socio-economic advantage, shape the circumstances within which Council operates. In terms of financial sustainability, the challenge for Council is to balance growth in revenue and costs with service levels consistent with community preferences.

Council is committed to maintaining financial sustainability through its budget and long-term financial management plan to ensure:

- that decisions on service delivery and the provision and maintenance of infrastructure are made with due regard to available, existing and anticipated future financial resources and competing priorities
- that revenue and spending decisions have regard to their effect on future generations
- that non-core services are provided on a minimum cost recovery basis
- that debt levels are minimised, and returns on cash holdings maximised
- there is prudent management of assets and liabilities, and
- that financial governance and audit controls are exercised in accordance with relevant legislation.

As required under the *Local Government Act 2019*, Council publishes a range of annual reports outlining its approach to financial management:

- Municipal Plan, including Council's Budget and Long-Term Financial Plan
- Annual Report including audited financial statements
- Rates Declaration, and
- Fees and Charges Schedule.

Elected Members receive regular finance reports at Ordinary Council Meetings. The agenda papers for all Council meetings are available on Council's website.

The Financial Sustainability Policy is a new policy that outlines Council's approach to ensuring sound financial management principles are applied to meet current and future service and operational requirements for Katherine municipality. The policy is reviewed every four years.

POLICY IMPLICATIONS

As there is no longer a requirement for a detailed Accounting and Policy Manual, these new and revised Council policies provide clearer guidance to the Katherine community about how Council will strategically manage its finances in compliance with the *Local Government Act 2019*, Australian Accounting Standards and sound financial management principles.

The new and revised policies do not fundamentally alter the current policy approach of Council, as most of the policy positions are contained in the previous Accounting and Policy Manual.

BUDGET AND RESOURCE IMPLICATIONS

Katherine Town Council must implement the principles of sound financial management. These include managing financial risks, pursuing spending and policies that are consistent with a reasonable degree of stability, ensuring decisions are made with future generations in mind and openly disclosing financial information through publishing annual budgets and financial statements.

Council has a responsibility to ensure that it has sufficient resources now and into the future to provide levels of service that are both affordable and at a level considered appropriate by the community.

Council has approved several financial management policies to provide the Katherine community transparency in the way Council strategically manages its finances on behalf of ratepayers.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Notes that an Accounting and Policy Manual is no longer required under Northern Territory local government legislation.

COUNCIL OFFICER CONFLICT OF INTEREST

We the Author and Approving Officer declare we do not have a conflict of interest in relation to this matter.



KATHERINE
TOWN COUNCIL

COUNCIL POLICY

Draft v6

FINANCE – RATING STRATEGY AND POLICY

Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director, Corporate Services		
Approval Date:	XXXXX	Next Review:	June 2024
Records Number:		Council/CEO Decision:	Council
Legislation Reference:	Chapter 11 of the <i>Local Government Act 2019</i>		

1 PURPOSE

Katherine Town Council must implement the principles of sound financial management. These include managing financial risks, pursuing spending and policies that are consistent with a reasonable degree of stability, ensuring decisions are made with future generations in mind and openly disclosing financial information through publishing annual financial statements.

Council rates are a property tax. Rates are paid by all property owners within the Katherine municipality to help pay for services provided by Council and to maintain local roads, council facilities and public open spaces such as parks and gardens. Property owners (ratepayers) in Katherine municipality pay rates based on an assessed value of their property. Rates are the major revenue source for the delivery of Council services and activities.

The purpose of this policy is to outline Council’s approach to setting rates and waste collection charges.

2 SCOPE

The policy applies to all Elected Members and Council employees with responsibility for making and implementing decisions on Council rates and waste collection charges.

3 DEFINITIONS

Northern Territory Planning Scheme means the scheme adopted in 2020 (and updated periodically) under the *Planning Act 1999* and published by the Northern Territory Government.

Overriding statutory charge means the same as Chapter 11, Part 11.9, Division 4 of the *Local Government Act 2019*.

Unimproved Capital Value (UCV) means the valuation of a land without any above ground improvements such as a home, shed, pool, carport or other structures. It is assessed every three years by the NT Valuer-General based on the property market and analysing sales in the relevant local area to determine how much the land alone would be worth.

4 DETAILS

The *Local Government Act 2019* (Chapter 11) outlines the way in which Council can apply rates as a source of income. Under the Act, Council may adopt one of three methodologies which include:

- a fixed amount for each allotment, or
- an amount (a valuation-based charge) calculated as a proportion of the assessed value of each allotment, or
- a combination of a fixed charge and a valuation-based charge.

Council is currently using the valuation-based charge. However, under the Act, Council may base the methodology on a specified minimum and the valuation-based charge and state, 'whichever is the greater'. The valuation-based methodology allows Council to consider the locality of a property and the accessibility to facilities and services.

Council's rate setting structure is based on the following principles:

- **Equity** – an appropriate balance of the principles of user pays versus capacity to pay
- **Effectiveness/Efficiency** – meeting the financial, social, economic, environmental, or other corporate objectives of Council as stated in the Long-Term Financial Plan
- **Simplicity** – to ensure widespread community or stakeholder understanding and to minimise perceived inequities and hidden costs
- **Sustainability** – revenue decisions support the financial strategies for the delivery of infrastructure and services identified in Council's Municipal Plan.

Council considers the impact of rate increases on residential, commercial, general, light industry, organised recreation, rural and agricultural zones as well as other zones within the municipality. Therefore, changes in the valuation of different types of properties and the equity balance of the distribution of the rate burden are reflected in Council's decision to set a differential general rate based on the zone types across the entire municipality.

Each year Council seeks to raise an amount in general rate revenue that will provide a level of funding to enable Council to meet all its operating expenses (including depreciation) and to make a significant contribution towards the capital works program. Council endeavours to ensure that annual rate increases are reasonable and consistent across all land types.

Council will review its approach to the setting of rates annually, as part of the annual Municipal Plan and Budget and when reviewing the Long-Term Financial Plan. Council will continue to actively seek alternate funding sources to reduce the impact of the rate burden on the community.

BASIS OF RATES

Council carries out the following processes to help determine what level of rates should be charged:

- evaluate and determine the range of services it needs to support the community as a whole; for example, waste management and local road maintenance
- decide how much money is needed to fund services and infrastructure
- establish how much funding it can expect to receive from the Commonwealth and Northern Territory governments and other income sources
- determine how much money is required from rates and charges to cover the balance of expenditures, and
- decide on the best mix of rates and charges to provide services to the community.

Council adopts the Unimproved Capital Value (UCV) as it appears on the valuation roll prepared by the NT Valuer-General under the *Valuation of Land Act 1963* as the basis of the assessed value of allotments in the Katherine municipality.

Council levies a general or differential general rate on all rateable land. Council sets a rate to be levied equally on the UCV of the land and this is expressed as a number of cents per dollar of valuation or a fixed minimum rate, whichever is the greater.

In recognition of the variation in the level of services provided or available to occupiers of the different zones throughout Katherine municipality, a differential rating factor is applied. In setting the variable rate, Council is mindful to apply consistency across all properties and to ensure that the rate burden does not shift significantly from one zone to another.

Council applies the following differential rating strategies across the entire municipality, according to principal use of the land:

- the assumption that residential properties represent the majority number of properties
- acknowledgement that businesses can generate a greater relative consumption of Council’s infrastructure and services, therefore being a greater draw on Council’s resources
- acknowledgement that land owned by community groups and sporting associations are often eligible to receive rate concessions from Council, and
- acknowledgement of the economic and social importance of primary production to the Katherine municipality and the need to support its long-term viability.

Council prepares a budget for each financial year which determines how much it needs to raise in rates. The total amount of money to be raised in general rates is divided by the total value of all rateable properties in Katherine municipality. The resulting figure is called the ‘Rate in the Dollar’.

Council then determines how much each property would need to pay by multiplying the ‘Rate in the Dollar’ by the Unimproved Capital Value (UCV) of each property. If the rates are lower than a certain amount, a minimum rate would apply. Council publishes the amount of rates for each relevant category through the annual Rates Declaration.

Rating Categories

The categories (zones) are determined regardless of tenure, as any parcel of land has the potential to be developed for whatever purpose. For the purpose of rating, Council may apply all or any of the following rating categories to differentiate properties by planning zones as set under the NT Planning Scheme.

RATING CATEGORY (ZONE)	PLANNING DESCRIPTION
Low Density Residential (LR)	Predominantly for low rise urban residential development comprising individual houses and uses compatible with residential amenity, in locations where full reticulated services are available
Low-Medium Density Residential (LMR)	A range of low-rise housing options that contribute to the streetscape and residential amenity in locations supported by community services and facilities, and where full reticulated services are available
Medium Density Residential (MR)	A range of mid-rise housing options close to community facilities, commercial uses, public transport, or open space, where reticulated services can support medium density residential development
Specific Use	As outlined in Schedule 4 of the NT Planning Scheme
Agriculture (A)	Land with productive capability for a diverse range of agriculture
Water Management (WM)	Restricted development within a water catchment area or other area providing surface or ground water for protection of public water supply
Rural (R)	Residential, horticultural, agricultural and other rural activities on large lots to provide separation between potentially incompatible uses and restrict closer settlement in areas where access to reticulated water and sewerage may not be available

RATING CATEGORY (ZONE)	PLANNING DESCRIPTION
Rural Living (RL)	A range of rural lifestyle choices and rural activities, in areas where access to reticulated water and sewerage may not be available
Community Living (CL)	Provides for community living that provides temporary and permanent accommodation, and non-residential facilities for the social, cultural and recreational needs of residents
Community Purpose (CP)	Provide for community services and facilities, whether publicly or privately owned or operated, in locations that are accessible to the community
Central Business (CB)	An active and attractive mixed-use environment that maximises its function as the commercial, cultural, administrative, tourist and civic centre for the surrounding region that is integrated with high density residential development
Commercial (C)	Mix of activities and services well connected to a surrounding community at varying scales including retail, entertainment, community, and business activities that serve the broader community and residential development commensurate to the scale of the commercial precinct
Service Commercial (SC)	Destination retailing, commercial and other activities that individually require a large floor area for the handling, display and storage of bulky goods, or activities, in locations that enable convenient access by the broader regional population
Future Development (FD)	Area intended for future rezoning and development in accordance with the Strategic Framework. Development is limited to a level that will not prejudice future development or is compatible with planned future purposes
Railway (RW)	Restricted development on land that is reserved for current or future development of a railway or railway corridor
Caravan Parks (CV)	Caravan parks that cater for short term tourist accommodation and long-term residents and their needs
Tourist Commercial (TC)	Facilitates commercial and residential development that cater for the needs of visitors, supports tourism activities, and is of a scale and character compatible with surrounding development
Light Industry (LI)	Provides for low impact industrial and compatible non-industrial developments that will not by the nature of their operations, detrimentally affect adjoining or nearby land
General Industry (GI)	Provides for industrial developments that require separation from more sensitive uses as the nature of activities may detrimentally impact on the amenity of the locality, in locations with access to services and transport networks capable of supporting heavy industry
Organised Recreation (OR)	Provides for the development of community and commercial facilities for organised recreation activities.

Other rating categories applied by Council include:

- Royal Australian Air Force (RAAF) Base Tindal
- Binjari Community
- pastoral leases as defined in the *Pastoral Land Act 1992*
- mining tenements
- feedlots
- shopping centres
- quarries, and
- allotments not covered by the NT Planning Scheme.

Rates are charged as one, **OR** the amount of rates multiplied by the separate parts or units that are adapted for separate residential occupation on each such allotment of rateable land, for each zone.

However, there is a differential policy for Agriculture zone where rates are charged as one, **OR** the amount of rates multiplied by the separate parts or units that are adapted for separate occupation on each such allotment of rateable land, **except** if the separate unit is used for seasonal workers accommodation, in which case rates will be calculated using the number of ablution facilities. This exemption is in place to support Council's policy that onsite workers' accommodation provides commercially viable farms with an effective means of attracting a labour force for seasonal farm work, and the accommodation is only utilised a few months each year.

There may be other rates, charges or levies that apply to a particular property. These could include waste collection charges or other levies. These costs are applied on top of the general rates charge and are only applied to affected ratepayers.

Assessment Record

Council maintains a database of records referred to as 'assessment records' containing:

- a brief description of each allotment within the Katherine municipality and a statement of its assessed value
- the name and address of the owner of the land (or if the owner is not the principal ratepayer for the land, the name and address of the principal ratepayer)
- the land use
- all rates and charges levied on the allotment
- any interest imposed
- the amount of rates written off (if any)
- the amount of payments made
- any rates concessions granted on the allotment, and
- any legal action taken in relation to the assessment record.

A person with sufficient interest in the assessment record may inspect the assessment record at Council's office. Refer to the Sufficient Interest in the Assessment Record policy.

Notice of assessment

Council issues an annual rate notice for each rateable assessment to ratepayers as listed in the assessment record. Annual rates notices (1 July – 30 June) are issued every August with the option to pay in four (4) instalments.

Instalment dates are:

- 30 September
- 31 November
- 31 January, and
- 31 March.

Payment reminders are advertised in local print media and ratepayers can sign up for a free quarterly SMS reminder service.

Ratepayers experiencing financial difficulty

Council recognises that individuals can experience difficulty in meeting their responsibilities for the payment of rates and that it may be appropriate where financial hardship has been demonstrated to grant a concession to the payment of rates. Concessions may also be applied to meet public benefits, or to correct anomalies in the rating system.

Council strongly encourages ratepayers to meet their rate and charges payment responsibilities. However, ratepayers experiencing financial hardship may apply for a special payment arrangement or rate concession including:

1. deferment in whole or part of an obligation to pay rates or a component of rates, or
2. waiver in whole or part of rates or a component of rates, or
3. Public Benefit Concession for community organisations.

The Chief Executive Officer will make decisions about special payment arrangements and rate concessions and provide a regular report to Council on the number, type and financial implications of rate concessions being applied. Refer to the Rates Concession Policy for further information.

Interest and penalty for late payment

If rate payments are not received by the due date, the account will be in arrears. Accounts in arrears will incur a penalty (the 'relevant interest rate') calculated daily on the outstanding amount, from the date on which the missed instalment was due until the date the payment is made in full.

The interest rate is determined through Council resolution and published in the annual Rates Declaration.

Recovery of outstanding rates and charges

A ratepayer who fails to pay rates and charges on the due date for payment may face legal action for recovery of the principal amount of the rates and charges, interest accrued on the late payment and costs reasonably incurred by Council in recovering or attempting to recover rates and charges.

Under section 258 of the *Local Government Act 2019*, if rates and charges have been in arrears for at least three (3) years, and an overriding statutory charge securing liability for the rates and charges has been registered for at least six (6) months, Council may sell the land.

WASTE COLLECTION CHARGES

Council charges fees for its waste collection services. These fees are published in the annual Rates Declaration.

Residents can access the waste management facility at no charge, except for excluded items as outlined in the Fees and Charges Schedule.

All residential properties receive a full waste collection charge where the property receives a weekly kerbside collection service. Some rural properties receive a discounted charge where their property is outside the weekly kerbside collection service area.

There is a minimum charge for vacant residential land or land outside of the kerbside collection service boundary.

There is also a minimum charge per allotment that is not residential land, such as Crown Land or commercial zoned land.

If the ratepayer requests an additional garbage bin, there is an additional charge per annum for each additional bin included with the weekly kerbside collection service charge.

5 ASSOCIATED POLICIES/DOCUMENTS

Rates Declaration published annually

Financial Management Practice Handbook

Sufficient Interest in the Assessment Record Policy

Rates Concession Policy

Fees and Charges Schedule published annually

Katherine Town Council Municipal Plan published annually

6 REFERENCES AND RELATED LEGISLATION

Local Government Act 2019

Valuation of Land Act 1963

Local Government (General) Regulations 2021

Planning Act 1999

Northern Territory Planning Scheme 2020

Pastoral Land Act 1992

Revision History

Version	Approval date	Details of change	Responsible officer
1	27/06/2017	Created	CEO
2	26/06/2018	Revised	CEO
3	08/07/2019	Revised	CEO
4	25/06/2020	Revised	CEO
5	22/06/2021	Revised	CEO
6	XXXXX	Revision for compliance with new <i>Local Government Act 2019</i>	CEO



KATHERINE
TOWN COUNCIL

COUNCIL POLICY

Draft v2

FINANCE – LEASING POLICY

Type:	Council Policy		
Owner:	Director Corporate Services		
Responsible Officer:	Manager Finance		
Approval Date:	XXXXX	Next Review:	April 2027
Records Number:		Council/CEO Decision:	Council
Legislation Reference:	Part 10.3 of the <i>Local Government Act 2019</i>		

1 PURPOSE

Katherine Town Council must implement the principles of sound financial management. These include managing financial risks, pursuing spending and policies that are consistent with a reasonable degree of stability, ensuring decisions are made with future generations in mind and openly disclosing financial information through publishing annual financial statements.

Loan borrowing is accepted by Council as an appropriate and responsible funding method to be applied to meet Council's long term strategic objectives and financial responsibilities. The *Local Government Act 2019* provides Council the power to borrow and *Ministerial Guideline 3: Borrowing* sets out the requirements to be followed when Council is seeking to borrow funds.

This policy provides guidance in relation to the purpose of borrowing and details the conditions under which borrowing can be used as a source of finance by Katherine Town Council.

2 SCOPE

The policy applies to all Elected Members and Council employees with responsibility for making decisions on borrowings and carrying out the functions of undertaking new borrowings, refinancing existing borrowings and monitoring borrowings.

This Policy applies to all new borrowings undertaken by Council, as well as existing borrowings, where significant long-term benefits of refinancing exist and the cost of breaking existing borrowing contracts is affordable within the short- and longer-term financial plans.

3 DEFINITIONS

AASB means the Australian Accounting Standards Board, authorised to make accounting standards under section 334 of the *Corporations Act 2001* (Cth).

ADI (Authorised Deposit-taking Institutions) means institutions authorised by the Australian Prudential Regulation Authority (APRA) as a financial institution operating in Australia.

Borrowing means obtaining any form of financial accommodation as per section 196 of the *Local Government Act 2019*. It includes loans and leases.

Cumulative borrowing amount means the amount calculated by adding together all amounts borrowed for each current borrowing, excluding borrowings that have been approved by the Minister.

Debt Servicing Ratio means the ratio of an organisation's ability to use its operating income to repay short and long-term debt obligations.

Minor transaction means a borrowing transaction within a cumulative borrowing amount for Katherine Town Council that is \$500 000 or less. Refer to *Ministerial Guideline 3: Borrowing*.

4 DETAILS

Borrowing is a productive and equitable source of funds providing leverage to:

- fund the acquisition, construction, expansion or refurbishment of a major capital asset or other expansion in capital works, or
- upgrade obsolete technology, or
- to intensify the capital base of Council to reduce the ongoing cost of operating programs.

When borrowing funds, Council must exercise reasonable care and diligence that a prudent person would exercise.

Borrowings by Council that exceed the threshold of a minor transaction require approval from the Minister for Local Government, as outlined in the *Local Government Act 2019* and *Ministerial Guideline 3: Borrowing*.

Borrowings are not a form of revenue and do not replace the need for Council to generate sufficient operating revenue to service its operating requirements.

Council will restrict all borrowings to expenditure on identified capital projects that are considered by Council to be of the highest priority, and which cannot be funded from revenue, as identified by the adopted budget.

For financial management purposes, debt will be carried in the accounts in accordance with Council's major functions with the ability to individually identify the loans. Periodic reporting to Council will address outstanding debt and debt servicing. Each long-term borrowing in the books of the Council will be identified with a particular project.

Loans are carried at their principal amounts which represent the present value of future cash flows associated with servicing the debt.

Interest is accrued over the period to which it relates and will be recorded as part of "Payables". Interest free loans are carried at their nominal amounts.

Loan drawdowns will be timed to optimise cash flow and minimise interest expenses.

BORROWING

All new borrowings will be identified in the Municipal Plan and Budget for the year in which the funds are proposed to be borrowed, thus undergoing a period of public consultation. This condition may be waived in circumstances where an emergency or urgent situation requires the use of borrowings.

Where Council seeks financing from new borrowing, the funds will only be used for the purpose for which the loan was raised. Council will borrow new loans for a period that maximises efficiency.

Where Council anticipated raising a loan for a specific purpose and subsequently used money from other sources for that purpose, borrowing will be used to reimburse that source unless Council, by resolution, determines otherwise.

Where a borrowing occurs and the final project costs are less than budgeted, resulting in unexpended funds, these funds may be re-allocated to eligible projects by resolution of Council, subject to gaining any necessary approvals.

If unexpended funds are not reallocated, they will be placed in Council's reserves until such time as a suitable use of the funds is identified through resolution by Council.

Where a borrowing is raised by Council to obtain an asset and the loan has not been repaid when the asset is sold, Council will first apply the proceeds of the sale to the repayment of the loan source unless Council, by resolution, determines otherwise.

Additional factors to be considered by Council when deliberating on new borrowings include:

- appropriate types of ADIs from which funds can be borrowed
- competitiveness of fixed or variable interest rates to minimise net interest costs associated with borrowing over the longer term
- the structure of any proposed loan, with repayment to occur at least bi-annually
- liquidity and investment credit risk
- repayment of debt as quickly as possible subject to overall budgetary limitations
- setting the maximum term for the loan at a level commensurate with the expected length of time a benefit would be derived from the borrowing
- where borrowing from an existing cash reserve occurs in lieu of external financing, the reserve will be repaid at a comparative market interest rate
- where the borrowings are for commercial purposes, consideration will be given as to whether the return on the investment can service the debt redemption, including consideration of community service obligations, and
- affordability of proposals having regard to Council's long term financial sustainability.

Security for borrowing

Section 198 of the *Local Government Act 2019* provides that security for a borrowing in the nature of a mortgage or charge over property of the council can only be given with the Minister's approval.

Borrowing costs

Borrowing costs in relation to qualifying assets (net of offsetting investment revenue) are capitalised in accordance with AASB 123 "Borrowing Costs".

DEBT SERVICING RATIO

Debt repayment is a long-term commitment of revenue flows. Both the current and future revenue and expenditure patterns of Council must be considered when establishing debt repayment levels in any year. Of primary focus for Council must be the importance of the ability to service the debt from current revenues, both now and in the future.

There must be an ability to fund from recurrent revenues (and not from borrowings) all ongoing recurrent expenditures associated with maintaining existing levels of service and current levels of debt service before new borrowings are undertaken.

The Debt Servicing Ratio at any time will be dependent on whether Council at that time is adopting a strategy of growth with its supporting infrastructure, technological upgrade or capital intensification of services.

During periods when Council is primarily maintaining existing levels of asset infrastructure and services, the Debt Servicing Ratio should not increase, but be seen to fall over time in the interests of equity for future ratepayers.

The Debt Servicing Ratio should not exceed 5% (principal plus interest repayments as percentage of total revenue).

REPORTING

The Chief Executive Officer will provide Council on a bi-annual basis a report detailing:

- Total borrowings
- Debt Service Ratio
- Debt to Revenue Ratio and
- Net Financial Liabilities to Revenue Ratio.

And for each loan:

- the purpose for which the loan was received
- security provided for the loan
- the financial institution making the loan
- the type of loan
- the original loan amount
- payments made in the reporting period
- the current outstanding balance on the loan, and
- the current interest rate.

External financial reporting purposes for borrowing will be carried in the accounts in accordance with AASB requirements.

5 ASSOCIATED POLICIES/DOCUMENTS

Financial Management Practice Handbook

Reserves Policy

6 REFERENCES AND RELATED LEGISLATION

Local Government Act 2019

Ministerial Guideline 3: Borrowing

Corporations Act 2001 (Cth)

Australian Accounting Standards Board (AASB)

Australian Prudential Regulation Authority (APRA)

Revision History

Version	Approval date	Details of change	Responsible officer
1	2013	Created	CEO

2	XXXXX	Revision for compliance with new <i>Local Government Act 2019</i>	Director, Corporate Services
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KATHERINE
TOWN COUNCIL

COUNCIL POLICY

Draft v3

FINANCE – INVESTMENT POLICY

Type:	Council Policy		
Owner:	Director Corporate Services		
Responsible Officer:	Manager Finance		
Approval Date:	XXXXX	Next Review:	April 2027
Records Number:		Council/CEO Decision:	Council
Legislation Reference:	Part 10.2 of the <i>Local Government Act 2019</i>		

1 PURPOSE

Katherine Town Council must implement the principles of sound financial management. These include managing financial risks, pursuing spending and policies that are consistent with a reasonable degree of stability, ensuring decisions are made with future generations in mind and openly disclosing financial information through publishing annual financial statements.

Council can generate income through prudent investment of funds, while ensuring sufficient liquidity for Council's day to day operational commitments and limiting unnecessary exposure to risk.

The purpose of this policy is to outline how Council's investments will be managed, the principles that Council will apply in relation to balancing investment risk and return, identification of approved and prohibited investments and reporting requirements.

2 SCOPE

The policy applies to all Elected Members and Council employees with responsibility for making decisions on investing Council funds.

This Policy applies to all investments undertaken by Council.

3 DEFINITIONS

ADI (Authorised Deposit-taking Institutions) means institutions authorised by the Australian Prudential Regulation Authority (APRA) as a financial institution operating in Australia.

Counterparty refers to the other individual or institution to an agreement or contract.

Interest rate risk means the risk that potential movements in interest rates could result in increased uncertainty of investment returns and is managed by taking into account future cash flow requirements and diversification of investment maturities. To quantify the extent of diversification a report detailing the maturity profile of funds invested is monitored regularly.

Prime means the classification of borrowers, rates, or holdings in the lending market that are considered to be of high quality.

Subordinated bank debt means unsecured borrowing by a financial institution. If the issuing bank were liquidated, its subordinated debt would be paid only after its other debt obligations (including deposit obligations) are paid in full but before any payment to its stockholders.

4 DETAILS

Council will invest its funds with consideration of risk and at the most favourable rate of interest available at the time for that investment type, while ensuring that Council's liquidity requirements are being met.

While exercising the power to invest, consideration will be given to value for money including the preservation of capital, liquidity, the return on investment and the investment institution's demonstration of local contribution through community benefits. Council will:

- ensure that funds are invested in accordance with legislative requirements
- identify the range of approved and prohibited investments
- set boundaries for exposure to the risks associated with investments
- ensure capital protection for Council funds
- ensure that Council maintains adequate control of its investments
- ensure that the investment portfolio is structured to provide sufficient liquidity to meet all reasonably anticipated cash flow requirements, and
- establish a framework for monitoring investments.

Prudent Person Standard

Council's investments will be managed with the care, diligence and skill that a prudent person would exercise. Employees are to manage the investment portfolios to safeguard them in accordance with the spirit of this Investment Policy, and not for speculative purposes.

Ethics and Conflicts of Interest

Employees responsible for Council's investment portfolio will refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio.

Prohibited Investments

This policy prohibits any investment carried out for speculative purposes including:

- derivative based instruments
- principal-only investments or securities that provide potentially nil or negative cash flow
- standalone securities issued that have underlying futures, options, forwards contracts and swaps of any kind
- the use of leveraging (borrowing to invest)
- investment denominated in foreign currency or cryptocurrencies.
- currency trading (foreign exchange gains/losses)
- shares of any kind, and
- subordinated bank debt (all bank debt must be prime).

APPROVED INVESTMENTS

Investments are limited to interest bearing deposits issued by an authorised deposit taking institution (ADI) only, unless a resolution is made by Council.

Mandatory Conditions for Investments

All investments must be in the name of Katherine Town Council. If using the services of an Investment Advisor or Broker, Council must ensure that ownership is retained.

All investments must be denominated in Australian dollars.

All investments must be placed with an authorised deposit taking institution (ADI) and through a licensed financial services institution with a current Australian Financial Services Licence issued by the Australian Securities and Investment Commission (ASIC).

Except for investments which are guaranteed by the Commonwealth Government or the Northern Territory Government, the amount invested with any one financial institution will not exceed 40% of the entire investment portfolio.

Investment Maturity Terms

Council's investments should be able to be liquidated in a timely manner with minimal loss or penalty. The term to maturity of any investment may range from "at call" to one year. The maximum term for any investment should not exceed one (1) year without specific Council approval.

Held to Maturity Investments

Held-to-maturity investments are non-derivative financial assets that have fixed maturities and fixed or determinable payments, and it is the Council's intention to hold these investments to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss through the amortisation process and when the financial asset is derecognised.

Liquidity

The term of investments must consider Council's liquidity requirements and the portfolio must be structured so that there are always sufficient funds available to meet cash flow requirements. Liquidity risk is minimised by only utilising investment products that are liquid.

INVESTMENT PORTFOLIO

Preservation of capital is the principal objective of the investment portfolio and investments are to be made in a manner that seeks to ensure the security and safeguarding of the investment portfolio. This includes managing credit and interest rate risk within accepted thresholds and parameters.

Investments are to comply with key criteria to:

- protect the principal
- limit overall credit exposure of the portfolio
- limit exposure to counterparty credit risk
- limit risks based upon maturity of investments
- limit the amounts invested in a particular product (concentration risk), with a particular financial institution or government authority to reduce credit, liquidity and market risks
- ensure conditions related to grant funding available to invest are complied with, and
- ensure funds are invested in accordance with legislative requirements.

Credit ratings

Credit ratings play an important role when making investment decisions. Credit ratings are a guide or standard for an investor to indicate the ability of a debt issuer or debt issue to meet the obligations of repayment of interest and principal – a poor credit rating is a risky investment. Global credit rating agencies such as Moody’s, Standard and Poor’s (S&P) and Fitch Rating make these independent assessments based on a certain set of market and non-market information.

Ratings do not guarantee the investment or protect Council against investment losses and should not be misinterpreted as an implicit guarantee of investments or entities that have such ratings. Even given this challenge, ratings provide the best independent information available.

The following table provides a comparison of the rating equivalents between the different rating agencies:

Major Rating Agencies Rating Guide for Long and Short Term Debt						
Moody's		S&P		Fitch		Risk
Long Term	Short Term	Long Term	Short Term	Long Term	Short Term	Characteristic
Aaa	P-1	AAA	A-1+	AAA	F1+	Prime
Aa1		AA+		AA+		High Grade
Aa2		AA		AA		
Aa3		AA-		AA-		
A1		A+		A+		
A2	P-2	A	A-1	A	F1	Upper Medium Grade
A3		A-	A-2	A-	F2	Lower Medium Grade
Baa1		BBB+				
Baa2	P-3	BBB	A-3	BBB	F3	Lower Medium Grade
Baa3		BBB-				
Ba1	Not Prime	BB+	B	BB+	B	Non-investment grade speculative
Ba2		BB		BB		
Ba3		BB-		BB-		
B1		B+	C	B+	C	Highly Speculative
B2		B		B		
B3		B-		B-		
Caa1		CCC+		C		
Caa2	CCC	Extremely Speculative				
Caa3	CCC-	In default with little prospect for recovery				
Ca	CC					
C	C		DDD	/	In default	
/	D	DD				
/	/	D				

Credit rating agencies assign a value to the credit risk of different securities such as bonds and loans. For example, AAA is seen as the industry standard as the highest rating, and AAA, AA, A and BBB are widely seen as investment-quality securities. Ratings of BB or below are speculative grades which denote a higher credit risk or risk of default in the underlying security, but this often comes with a potentially higher return on an initial investment.

All investment proposals with financial institutions must be consistent with the following:

Moody's	S&P	Fitch	Maximum Percentage of Total Investments
P-1 Aaa	A-1 AAA	F-1+ AAA	100%
P-1 Aa+	A-1+ and A-1	F1+	90%
P-2	A2	F2	45%
P-3	A3	F3	25%
Not Prime	B, C and D	B,C and D	Prohibited

If the credit rating of any institution or investment is downgraded and, as a result, the investment no longer falls within the policy guidelines, it will be divested as soon as practicable.

Investment Evaluation Criteria

The following criteria and weighting will be applied in considering the best value for money investment institution:

Rating description	Rating weighting	Interest rate weighting	Local benefit realised in previous financial year weighting	Total decision-making weighting
Prime	100%	% of best rate of interest offered	100% if local community benefits (grants). 50% if no local community benefit (grants)	Average % of all weightings
High grade	90%			
Upper medium grade	45%			
Lower medium grade	25%			

Investment Advisor

If Council appoints an investment advisor, they must hold an Australian Financial Securities Licence issued by the Australian Securities and Investment Commission (ASIC) and their appointment as advisor must be approved by resolution of Council.

The advisor approved by Council resolution must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the investment policy.

The advisor must be representative of a recognised reputable firm of investment advisors.

REVIEW AND REPORTING

The performance and value of the investment portfolio and conformity with this policy is reviewed internally on a quarterly basis and provided to the Audit and Risk Management Committee annually.

Council will maintain an up-to-date Investment Register supported by appropriate documentary evidence for each investment held.

For audit purposes, certificates must be obtained from the financial institutions confirming the investments held on the Council's behalf as at 30 June each year and reconciled to the Investment Register.

A monthly report will be provided to Council containing the following information:

- list of investments by financial institution
- total cash and investments held
- percentage exposure to individual financial institutions, and
- adherence to the investment limits set in this policy.

5 ASSOCIATED POLICIES/DOCUMENTS

Financial Management Practice Handbook

Employee Code of Conduct

Conflicts of Interest Policy – Employees and CEO

6 REFERENCES AND RELATED LEGISLATION

Local Government Act 2019

Australian Securities and Investments Commission (ASIC)

Australian Prudential Regulation Authority (APRA)

Revision History

Version	Approval date	Details of change	Responsible officer
1	2013	Created	CEO
2	Sept 2019	Revised	CEO
33	XXXXX	Revision for compliance with new <i>Local Government Act 2019</i>	Director, Corporate Services



KATHERINE
TOWN COUNCIL

COUNCIL POLICY

Draft v1

FINANCE – RESERVES POLICY

Type:	Council Policy		
Owner:	Director Corporate Services		
Responsible Officer:	Manager Finance		
Approval Date:	XXXXX	Next Review:	April 2027
Records Number:	XXXXX	Council/CEO Decision:	Council
Legislation Reference:	Regulation 11 of the Local Government (General) Regulations 2021		

1 PURPOSE

Katherine Town Council must implement the principles of sound financial management. These include managing financial risks, pursuing spending and policies that are consistent with a reasonable degree of stability, ensuring decisions are made with future generations in mind and openly disclosing financial information through publishing annual financial statements.

Council recognises that to ensure the long-term sustainability of the Council, it needs to establish cash backed reserves to help smooth out funding requirements for major projects or contingencies. Council will create reserves where surplus operating cash can be put to one side to be allocated to future expenditures.

The purpose of this policy is to outline Council’s commitment to the creation and maintenance of financial reserves and how the reserve funds will be increased and decreased.

2 SCOPE

The policy applies to all Elected Members and Council employees with responsibility for making decisions on Council reserves.

This Policy applies to all funds held in reserve.

3 DEFINITIONS

Australian Accounting Standards means the technical pronouncements that set out the required accounting measurements and disclosures for particular types of material transactions and events set by the Australian Accounting Standards Board (AASB) which must be applied in the preparation and presentation of an entity's financial statements.

4 DETAILS

Reserves play an important role in the financial stability and long-term sustainability of Council and managing them effectively is an important aspect of Council's overall financial management approach.

In line with good governance and proper risk management, Council will consider an appropriate level of reserves for its circumstances, as well as a strategy for building or spending its reserves in a way that is consistent with its strategic plan.

Reserves help to maintain financial stability and allow Council to meet its commitments, continue to undertake work and deliver services, or when unexpected events or costs arise.

The total of all reserves shall not exceed the current assets less current liabilities held by Council.

Council currently operates two financial reserves:

- Asset Revaluation Reserves
- Other Reserves (including Externally Restricted Reserves and Internally Restricted Reserves).

ASSET REVALUATION RESERVES

These reserves are established under the requirements of the Australian Accounting Standards and are not cash backed reserves. These reflect the increments and decrements of fixed asset values due to asset revaluations (from changes in fair value).

OTHER RESERVES

Externally Restricted Reserves

These reserves are subject to external restrictions in their purpose and are likely to be subject to legal requirements that govern the use of the funds or if specified funds have not been utilised for the purpose for which they were received, and an obligation or requirement to return funds to its contributor exist. These reserves are cash backed.

Unexpended Grants and Contributions

This reserve holds the balance of unexpended grants and contributions received from external contributors. The funds are held in this reserve until expensed in line with the funding conditions. External restrictions apply in line with the individual funding agreements and Australian Accounting Standards.

Developer Contribution Reserve

This reserve holds contributions received by Council by developers in line with Council's Developer Contribution Plan (if and when one is prepared and approved). Restrictions as to how the funds must be spent apply as set out in both the Plan and under provisions outlined in the *Planning Act 1999*.

Internally Restricted Reserves

Council has six categories under these reserves:

- Capital renewal reserve
- Contingency reserve
- Municipal election reserve
- Waste management reserve
- Council motion reserve, and
- Provision for employee's reserve.

These reserves are not subject to legal requirements governing the use of the funds or have been established for a specific internal purpose. However, if that purpose does not eventuate or Council changes its priorities the funding can be diverted to other purposes. These reserves are cash backed.

Capital Renewal Reserve

The reserve holds funding for renewal, replacement or upgrading of existing assets and/or the establishment of new assets in line with Council's Asset Management Plans. Specific renewals must be identified, and funds are to be allocated to those.

Unexpended Capital Works Reserve

This reserve holds the balance of unexpended capital works funds that are requested to be carried forward to the following financial year (as and when applicable).

Election Reserve

The reserve will fund expenses related to Council Member election including unplanned By-Elections. The Election Reserve will be maintained at a minimum balance of \$100,000.

Contingency Reserve

This reserve will fund expenses occurred due to storms, storm surges, and floods or any other natural disaster. The fund will enable Council to recover from these disasters and return to operations. This reserve shall be maintained at or near \$1 million. External funds received after the event for the purpose of disaster recovery shall be used to maintain the reserve at this level of funds.

Waste Management Reserve

The waste management reserve holds funds for the future development of the Waste Management Facility, including renewal, replacement or upgrading of existing assets. Any surplus revenue generated through Waste Collection Charges and other waste facility charges that exceed expenses may be kept in a dedicated reserve account for future replacement or upgrades of the Waste Management Facility.

Waste Management Remediation Reserve

This reserve holds funds for the rehabilitation and post closure costs of the waste management facility/site. The annual calculation of the net present value discount unwinding will be transferred to the reserve at year end.

Council Motion Reserve

This reserve will fund strategic initiatives approved by Council in line with the Municipal Plan and the Long-Term Financial Plan. Specific initiatives must be identified to have funds allocated.

Provision for employee's reserve

This reserve will fund employee entitlements.

TRANSFERS INTO AND FROM RESERVE FUNDS

All transfers for reserves are assessed at least annually during the preparation of the budget and the Long-Term Financial Plan.

For financial management purposes, all reserve transfers in and out of each reserve must be detailed separately with any specific constrained funds for projects identified within each reserve.

Subject to a review of the adequacy of reserves, transfers should be limited to the funding of those projects for which the reserve was specifically created for.

Council may decide to set aside minimum and maximum amounts in the internally restricted reserves or change such limits by Council resolution. Council may also determine the maximum percentage of operating cash surplus or working capital that could be transferred to reserves in any given year.

The table below outlines the authorisation of various transfers to and from reserve funds:

Asset Revaluation Reserves	Transfer of funds in accordance with Australian Accounting Standards.
Externally Restricted Reserves	Transfer of funds are restricted to the terms and conditions of individual funding agreements or the Developer Contribution Plan. All transfers must be authorised by Council resolution.
Internally Restricted Reserves	Transfer of funds are restricted by the internal purpose of the reserve. All transfers must be authorised by Council resolution.
Capital Renewal Reserve	Transfer of funds will occur at the end of the financial year or during budget review processes if excess funds exist or funds are required. All transfers must be authorised by Council resolution.

REPORTING

Council is required under Regulation 13(c) of the Local Government (General) Regulations 2021 to disclose all reserves set aside for a specific purpose in its annual financial statement. A detailed statement with movements is reported to Council as part of the annual budget process, including actual performance compared to annual budget as part of the budget review reports.

A statement of reserve balances is provided to Council in the monthly financial report.

5 ASSOCIATED POLICIES/DOCUMENTS

Financial Management Practice Handbook

Sale and Disposal of Land Policy

Asset Management Policy

Annual Municipal Plan

Long-Term Financial Plan

6 REFERENCES AND RELATED LEGISLATION

Local Government Act 2019

Local Government (General) Regulations 2021

Australian Accounting Standards Board (AASB)

Revision History

Version	Approval date	Details of change	Responsible officer
1	XXXXX	Creation	Director, Corporate Services



KATHERINE
TOWN COUNCIL

COUNCIL POLICY

Draft v2

FINANCE – LEASING POLICY

Type:	Council Policy		
Owner:	Director Corporate Services		
Responsible Officer:	Administration Manager		
Approval Date:	XXXXX	Next Review:	April 2027
Records Number:		Council/CEO Decision:	Council
Legislation Reference:	Part 37 of the <i>Local Government Act 2019</i>		

1 PURPOSE

Katherine Town Council must implement the principles of sound financial management. These include managing financial risks, pursuing spending and policies that are consistent with a reasonable degree of stability, ensuring decisions are made with future generations in mind and openly disclosing financial information through publishing annual financial statements.

Council has an extensive property portfolio comprising freehold buildings, public open space and reserves which it issues various leases, licenses, and permits for periods of occupation.

This policy outlines the key elements of Council's management of long-term leases and provides Council with a framework to support the equitable, efficient and effective management of Council owned and managed buildings and public land.

2 SCOPE

The policy applies to all Elected Members and Council employees with responsibility for making decisions about leasing Council buildings and public land.

This Policy applies to leasing of Council buildings and public land for periods of more than 12 months. It does not cover licences of occasional or short-term hire or non-exclusive use that have separate charges as set out in Fees and Charges Schedule.

3 DEFINITIONS

Goods and Services Tax (GST) means a broad-based tax of 10% on most goods, services and other items sold or consumed in Australia.

Lease means a right granted by Katherine Town Council to another to have exclusive possession of building or parcel of land or part thereof for a fixed duration in return for a negotiated consideration. A lease enables exclusive use over a particular building or piece of public land for a specified term and outlines the rights and obligations of both parties to the occupancy.

Lessee means a person or organisation that holds the lease granted by Katherine Town Council for a building or piece of public land.

Market rent means the annual rent that can be reasonably expected to be paid in the open market for a property or space within a property. The market rent is determined by comparing premises/land of comparable use in which advice will be sought by a licensed real estate agent.

Public land means any land (including a public reserve) vested in or under the control of the Council and can include a natural area, a sportsground, a park or reserve, an area of cultural significance, or an area for general community use. However, public land does not include a road or land to which the *Crown Lands Act 1992* applies (that is, land that Council controls but which is owned by the Northern Territory Government).

4 DETAILS

Council may enter into leases of buildings or public land owned or controlled by Council to provide for the exclusive access to a facility by a private individual or community group. Council officers will encourage users of the facility to provide access to other community user groups and the general public.

Leases enable Council to encourage optimal use of Council buildings and public land to cater for a range of user groups while obtaining a contribution from users for the costs of providing the facilities. This helps to facilitate economic development and encourage and support investment and employment opportunities in Katherine.

Generally, Council (as custodian of public assets) provides leases through an open market format to ensure probity of process, optimisation of financial return and to minimise risk. However, there may be occasions where Council can facilitate desired goals and objectives to ensure the growth and prosperity of Katherine, which if left to the private marketplace alone, may not be achievable.

While Council seeks to provide the best value to the community through seeking a market rent return on leased property, Council recognises the social, cultural and recreational benefits of services and activities organised and provided by community groups and not-for-profit organisations and it may subsidise rent for these groups where Council agrees it is appropriate.

Council recognises that many user groups and organisations have a strong historical affiliation with the facilities or public land they use and have contributed funds and in-kind to their development. However, past contributions of funds or in-kind by user groups and organisations do not convey permanent or preferential access to that facility or public land.

All new leases will require formal Council resolution and must be signed by the Chief Executive Officer. Any new lease must be executed by the lessee within 120 days (unless agreed by Council) from the date of the Council resolution approving the lease.

The purpose of any lease must be compatible with the permitted use prescribed by the *Planning Act 1999* within zoning under the Northern Territory Planning Scheme.

COMMUNITY CONSULTATION

Leasing of buildings and public land in control and management of Council will be undertaken in full consultation with major stakeholders including community representatives and in accordance with relevant legislation.

If Council proposes to grant a lease on Council buildings or public land, the proposal will undergo a period of community consultation. The consultation will include:

- information sufficient to identify the buildings and/or land concerned
- the purpose for which the buildings and/or land will be used under the proposed lease
- the term of the proposed lease (including options for renewal), and

- the name of the person/organisation to whom it is proposed to grant the lease.

Submissions about the proposed lease can be made in writing to Council within a period of 28 days of community consultation commencing.

LEASE AGREEMENT

A Lease Agreement is a legally binding contract used to commit to the terms of a lease, subject to certain conditions occurring.

Term of agreement

The term of the lease agreement can range from one year up to 12 years, including options for renewal.

Leases for more than five years, or for a first term and option period/s totalling more than 5 years, must be determined by tender in accordance with the Procurement Policy, except if the lessee is a non-profit organisation.

Leases of public land cannot be longer than 12 years (including the period of any options to renew) in accordance with the *Planning Act 1999*, excluding the lease of part of a building.

Renewal of agreement

Where a current lease or other formal agreement exists, it will be honoured until its expiry and on the conditions permitted within the existing agreement.

While Council supports the continued occupation of buildings and public land by particular groups and organisations, it will encourage shared multi-use where it does not currently occur. A review of usage and management options for leased Council buildings and public land will be undertaken within the last six months of the lease agreement period. This review will consider existing usage, the potential for multi-users and any changing community needs.

The lessee must seek a renewal of the lease agreement between nine and no later than six months before expiry of the agreement. Renewal will be considered if rental payments have been on time and the lessee has complied with the terms of the lease agreement.

Renewal of any lease agreement will require approval from the Chief Executive Officer.

Expired agreement

Within nine months, and no later than six months prior to the expiry date of the agreement, the lessee will be required to provide written notification to Council outlining their position and interest to renew the lease agreement or intention to allow it to terminate at expiry.

If notification is not received within the nominated timeframe, Council will deem that the lease agreement is to be terminated.

Council officers will notify the lessee of the notification requirement, seven months prior to the expiry date.

RENTAL VALUE

For a leased property, Council seeks to recover rent at market value although in some cases a rental subsidy may be applied.

Market rental assessments will be obtained for all Council's buildings and public land proposed for lease, by suitably qualified real estate agent and will be updated on an annual basis. In certain circumstances a rental assessment may be required from an independent suitably qualified valuer.

If the assessed market value is not agreed upon with the proposed lessee, the applicant is entitled to obtain their own independent valuation by a suitably qualified valuer. If a significant difference in value applies, the valuer will be required to meet with the Chief Executive Officer to determine a resolution on the market value.

Where it is clear a proposed lessee has an ability to pay a market rental or fee, the rental/fee payable shall be the market rate as determined by the assessment.

Provision of rental subsidies – community group or not-for-profit organisation

Council recognises that some community groups or not-for-profit organisations may not have the ability to pay market rent. In these circumstances, the organisation can apply for a rental subsidy. The extent of the rental subsidy will be determined according to Council's objectives and using the established criteria which forms part of this policy and is shown in Attachment 1.

Proposed lessees will need to apply to Council for a rental subsidy, including evidence of registration as a community group or not-for-profit organisation and the most recent audited annual financial statements.

Subsidised rental will be subject to a review if Council becomes aware that applicable criteria elements have changed. The lessee will be required to annually submit copies of audited financial statements through the term of the lease agreement.

Council seeks to ensure that the cost to Council for the provision of rental subsidies is transparent. As Council is offering an annual subsidy this should be noted as an "in-kind donation" in Council's aggregate record of donations to the community. All subsidies made under the policy, are made as "in-kind donations" in the form of the use of the facility for a lesser amount in return for the services that they offer to the community as well as the maintenance responsibilities that they may undertake on the property.

If the proposed lessee is not satisfied with the level of rental subsidy determined, the process will be reviewed by a panel which will consist of Director Community Services, Director Corporate Services and the Administration Manager. If considered appropriate, an independent member, internal or external to Council will be invited to participate in the review process.

Council resolution will be required for the application of any rental subsidy.

Provision of rental subsidies – commercial

From time to time, Council may wish to negotiate a reduced rate of rent for commercial lessees in situations where:

- significant capital contribution is made by the lessee to upgrade the building/public land
- the lessee is providing a service which Council considers will benefit the community
- the building/public land is in a prominent position and leaving it empty would undermine the economic vibrancy of an area, or
- leaving a building empty may invite anti-social behaviour and result in the building being vandalised.

In these cases, Council may consider a reduced rate of rent, in a manner which preserves the commercial interests of both parties.

Rental review

Rental rates will be subject to an annual review and increased either by the Consumer Price Index (CPI) rate at the time of the review or a fixed percentage, as specified in the lease agreement.

Leases extending beyond a five-year term will have a market rental assessment review applied six months prior to the anniversary of the commencement date of the fifth year. The new rent will be negotiated in accordance with the terms of the agreement and this policy.

Goods and Services Tax (GST)

All lessees must pay GST on rent. GST is payable in addition to the rent calculated, unless otherwise stated.

MAINTENANCE, IMPROVEMENTS AND PRESENTATION

Responsibilities in relation to maintenance, improvements and presentation of leased buildings and public land will be fully detailed in the lease agreement. The following general rules will apply:

- Unless otherwise determined, Council is responsible for the external structural integrity of Council buildings. A lessee, however, is responsible for maintaining the external building in its existing condition and this may include painting, graffiti removal, etc. The responsibilities will be detailed in the lease agreement.
- Unless otherwise determined, the lessee of the facility will be responsible for the internal maintenance of the facility.
- Where a lessee voluntarily undertakes extensions or improvements to the exterior of a facility (e.g. pergola, sunshade), they are responsible for the maintenance and presentation of those improvements. No alterations or modifications are to be undertaken without Council consent and planning approval, if applicable. Preparation of any Development Applications is the responsibility of the lessee, but Council will be required to sign the Development Application as the landowner. (Council granting owners consent to the application does not imply or guarantee development consent, as an assessment of the proposal will need to be made under the *Planning Act 1999*).

Facility fit-out improvements undertaken by the lessee will remain the property of the lessee.

Structural modifications, additions and improvements undertaken with the consent of Council will remain the property of Council as owner of the facility or public land.

OUTGOINGS

The lessee will be responsible for all outgoings as they apply to the leased building or public land. Responsibilities in relation to outgoings will be fully documented within the lease agreement. In general, the following outgoings will be the responsibility of the lessee:

- telephone and internet
- commercial waste, sanitary, sewerage and cleaning charges
- insurance premiums (although not building insurance for Council-owned buildings)
- fire protection
- charges for gas, electricity, oil and water separately metered and consumed in or on the leased facility or public land, and
- all other charges and impositions by any public utility or authority for the supply of any service separately metered or supplied to the premises.

This is not an exclusive list and there may be other outgoings that relate to specific buildings and/or public land uses.

OBLIGATIONS OF LESSEE

Lessees of Council buildings and public land are expected to comply with the terms of the lease. If a lessee breaches an agreement, Council officers may serve a Notice to Remedy a Breach of Agreement requiring rectification of the breach or payment of compensation of the breach.

If a lessee does not comply with a Notice to remedy a breach or to pay compensation or if the lessee continues to commit breaches of the agreement, the lease agreement can be terminated by the Chief Executive Officer.

The cost of complying with statutory requirements or advertising costs incurred during the community consultation period are to be met by the proposed lessee.

All new agreements and those requiring renewal will attract a document preparation fee on a cost recovery basis including reasonable Council administration costs.

Council reserves the right to engage a legal representative to prepare lease documentation. Accordingly, the lessee shall be responsible for the payment of the 'reasonable' costs of Council or its legal representative in relation to the preparation of the lease agreement. Prior to engaging legal representation, a quote shall be obtained and provided to the proposed lessee/licensee.

5 ASSOCIATED POLICIES/DOCUMENTS

Financial Management Practice Handbook
Fees and Charges Schedule
Procurement Policy

6 REFERENCES AND RELATED LEGISLATION

Local Government Act 2019

Crown Lands Act 1992

Planning Act 1999

Northern Territory Planning Scheme

Revision History

Version	Approval date	Details of change	Responsible officer
1	2020	Created	CEO
2	XXXXX	Revision for compliance with new <i>Local Government Act 2019</i>	Director, Corporate Services

MATRIX CRITERIA FOR DETERMINING LEVEL OF RENTAL SUBSIDY FOR LEASES FOR COMMUNITY GROUPS AND NOT-FOR-PROFIT ORGANISATIONS

Criteria	Each Answer is worth 4 points	Each Answer is worth 3 points	Each Answer is worth 2 points	Each Answer is worth 1 point
Organisational status and structure	The organisation is locally based, stand alone and not-for-profit. It has a voluntary management committee, comprised mainly of local area representatives.	The organisation is locally based, has a regional focus, is stand alone and not-for-profit. It has a voluntary management committee, comprised partly of local area representatives.	The organisation is a locally based service outlet or project that is part of a larger not-for-profit organisation, it has a voluntary advisory committee, comprised partly of local area representatives.	The organisation is a locally based service, outlet or project that is part of a larger not-for-profit organisation. There is limited or no local area representation on the advisory committee or similar.
Capacity to undertake range of administrative and management responsibilities	Depends on assistance from volunteers for all administrative and management functions.	Paid staff undertake some of the administrative and management functions and volunteers assist with the other tasks.	Staff undertake majority of administrative and management functions with additional assistance provided by umbrella organisation.	Umbrella organisation carries out majority of administrative and management functions.
Extent of service provided by the organisation	The broader community is a beneficiary of services established by the organisation.	Service is significantly used by number of specific sections of the local community.	While the organisation provides a direct service to only a small number in the local community, it forms a part of a larger service provision.	Service is only used by a small number of the local community.
Extent of accessibility of facility to community	Facilities are accessible to many in the local community (managed by Council).	Facilities are generally accessible to the local community (managed by Council).	Facilities have limited accessibility to others in the local community (any fees charged for use come to Council).	Facilities not accessible to others in the local community or limited access with funds (if charged) going to lessee.
Numbers/ type of services providers	A unique service (only one of its kind).	One of a number of providers of a community service.	One of a number of providers meeting a less critical community need (in terms of Council's identified targets) or meeting an identified recreation need.	Providers meets social or recreational needs only.
Social and Community benefit	Service is unique and specific and meets high level of need, or service meets identified social/community needs, with most service users from low socio-economic or disadvantaged backgrounds.	Service meets identified social/community needs, with service users from a range of socio-economic backgrounds.	Service meets a broad social / community need.	Service is valued by the community but it is not focused on meeting an identified social/community need.

Criteria	Each Answer is worth 4 points	Each Answer is worth 3 points	Each Answer is worth 2 points	Each Answer is worth 1 point
Capacity to charge fees and generate revenue	Limited or no ability to generate revenue.	Some ability to generate revenue and charge fees which may be varied to reflect ability of clients to pay.	Has capacity to charge fees and generate revenue.	Operates on a profit basis.
Access to other sources of funding	No access to other sources of funding.	Limited access to other sources of funding (no more than 5% total).	Access to other sources of funding – federal, NT and/or local funding which provides between 5-30% of total funding.	Access to other sources of funding – federal, NT and/or local funding which provides more than 30% funding.
Direct competition with commercial ventures?	No. Main activity is not a commercial activity.	While business is not a commercial activity, some aspects of the business are in direct competition with other organisations or businesses.	While they are in direct competition with commercial providers, they provide added or differentiated service to users.	In direct competition with commercial providers.
Reactive and ongoing maintenance	Will take responsibility for internal and external reactive maintenance as detailed in the lease agreement including full cleaning of the facility.	Will take responsibility for almost all the internal and external reactive maintenance as detailed in the lease agreement including majority of cleaning of the facility.	Will take responsibility for some of the internal and external reactive maintenance as detailed in the lease agreement including minor cleaning of the facility.	Will not take responsibility for the internal and external reactive maintenance including no cleaning of the facility.

Calculating the Subsidy

The level of subsidy is based on the number of points. To calculate the subsidy, add up all the points for each criteria and apply to the categories in the table (right):

Subsidy will be based on the following equation:

- Market Rental = assessed per square metre value x actual value square metres of the building
- Assessed subsidised rental = Market Rental X % Subsidy

Category	A	B	C	D
Points of Range	34-40	23-33	12-22	11
Range of Subsidy	77-100%	52-76%	27-51%	Zero



KATHERINE
TOWN COUNCIL

COUNCIL POLICY

Draft v1

FINANCE – FINANCIAL SUSTAINABILITY POLICY

Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director Corporate Services		
Approval Date:	XXXXX	Next Review:	April 2027
Records Number:		Council/CEO Decision:	Council
Legislation Reference:	Parts 10.4 and 10.5 of the <i>Local Government Act 2019</i>		

1 PURPOSE

Katherine Town Council must implement the principles of sound financial management. These include managing financial risks, pursuing spending and policies that are consistent with a reasonable degree of stability, ensuring decisions are made with future generations in mind and openly disclosing financial information through publishing annual financial statements.

Council has a responsibility to ensure that it has sufficient resources now and into the future to provide levels of service that are both affordable and at a level considered appropriate by the community. This responsibility encompasses how decisions are made regarding the allocation of ratepayer funds to Council’s day to day operations as well as towards the replacement of existing assets and procurement of new assets.

The purpose of this policy is to promote a financially sustainable approach to the funding of Council services in a way that enhances intergenerational equity. This Policy cannot prevent or limit any future decision of Council.

2 SCOPE

The policy applies to all Elected Members and Council employees with responsibility for making financial decisions in relation to service delivery including establishing budgets, regular budget reviews and individual service decisions.

3 DEFINITIONS

Intergenerational equity means that those who are using the benefits of a service provided by Council should contribute proportionally to its cost. In terms of a service provided by a long-lived asset such as a public pool, this means that present and future users of the service should pay for the service equally over the life of the asset.

4 DETAILS

Council delivers essential services to the Katherine community. These services are often infrastructure related. Many factors, including population scale and density, geographic location, industry structure and socio-economic

advantage, shape the circumstances within which Council operates. In terms of financial sustainability, the challenge for Council is to balance growth in revenue and costs with service levels consistent with community preferences.

Council is a perpetual corporation that provides services for generation after generation and upholding the principle of intergenerational equity is at the heart of being financial sustainable.

Council's long-term financial performance and position is sustainable where planned long-term service and infrastructure levels and standards are met without unplanned increases in rates or disruptive cuts to services.

COMMITMENT TO FINANCIAL SUSTAINABILITY

Council is committed to maintaining financial sustainability through its budget and long-term financial management plan to ensure:

- that decisions on service delivery and the provision and maintenance of infrastructure are made with due regard to available, existing and anticipated future financial resources and competing priorities
- that revenue and spending decisions have regard to their effect on future generations
- that non-core services are provided on a minimum cost recovery basis
- that debt levels are minimised, and returns on cash holdings maximised
- there is prudent management of assets and liabilities, and
- that financial governance and audit controls are exercised in accordance with relevant legislation.

Council seeks to ensure that expenditure on goods and services to meet established service levels is undertaken efficiently and effectively. This will be achieved by ensuring staff compliance with Council's policies and procedures as well as partnering with key stakeholders such as Local Buy to ensure efficient cost procurement options are implemented.

Revenue sustainability and growth

Council will apply annual rate increases that are fair and equitable, in accordance with the Rating Policy and Strategy.

Council will apply fees and charges to cover costs for non-core operations on a fair and equitable basis. Fees and charges are reviewed annually.

Council will apply statutory fees and fines in accordance with the Katherine Town Council By-Laws 1998.

Council will continually evaluate opportunities to increase own source revenue and access grant funding from government and non-government sources. Council will ensure compliance with grant funding obligations to maintain eligibility for future grants and apply effective project management to grant funded programs to ensure timely achievement of objectives.

Council will ensure that strict eligibility rules are applied for subsidised or free services.

Asset management

Council holds and maintains a significant base of infrastructure assets, which necessitates not only substantial initial investment but also continued expenditure to maintain and renew assets over the course of their respective useful lives.

Asset management needs and investment requirements will be considered when developing or reviewing Council's strategic plan, municipal plan, annual budget, and long-term financial plan. Council will ensure that it maintains its infrastructure and assets on an ongoing basis at defined levels to ensure that services are able to be provided effectively to the community.

Asset management plans for key classes of assets will be developed and reviewed on a regular basis. Systematic and cyclic reviews will be applied to all asset classes to ensure that the assets are managed, valued and depreciated in accordance with appropriate best practice.

Assets will be managed in accordance with Council's Asset Management Policy.

Borrowing

Council will restrict all borrowings to expenditure on identified capital projects that are considered by Council to be of the highest priority, and which cannot be funded from revenue, as identified by the adopted budget.

For financial management purposes, debt will be carried in the accounts in accordance with Council's major functions with the ability to individually identify the loans. Periodic reporting to Council will address outstanding debt and debt servicing. Each long-term borrowing in the books of the Council will be identified with a particular project.

All new borrowings will be identified in the Municipal Plan and Budget for the year in which the funds are proposed to be borrowed.

The debt servicing ratio, which is the ratio of Council's ability to use its operating income to repay short and long-term debt obligations, should not exceed 5% (principal plus interest repayments as percentage of total revenue).

All borrowing will be in accordance with Council's Borrowing Policy.

Investments and Reserves

Council will invest its funds with consideration of risk and at the most favourable rate of interest available at the time for that investment type, while ensuring that Council's liquidity requirements are being met.

While exercising the power to invest, consideration will be given to value for money inclusive of the preservation of capital, liquidity, the return on investment and the investment institution's demonstration of local contribution through community benefits.

All investments will be made in accordance with Council's Investment Policy.

Reserves play an important role in the financial stability and long-term sustainability of Council and managing them effectively is an important aspect of Council's overall financial management approach.

In line with good governance and proper risk management, Council will consider an appropriate level of reserves for its circumstances, as well as a strategy for building or spending its reserves in a way that is consistent with its strategic plan.

The total of all reserves shall not exceed the current assets less current liabilities held by Council.

The use of reserves will be in accordance with Council's Reserves Policy.

Financial monitoring, reporting and governance

As required under the *Local Government Act 2019*, Council publishes a range of annual reports outlining its approach to financial management including:

- Municipal Plan, including Council's Budget and Long-Term Financial Plan
- Annual Report including audited financial statements
- Rates Declaration, and
- Fees and Charges Schedule.

Elected Members receive regular finance reports at Ordinary Council Meetings. The agenda papers for all Council meetings are available on Council's website.

Council uses a range of primary indicators to assess and monitor financial sustainability and the implications of budgetary decisions such as: monthly cash position, details of investment portfolio, surplus / (deficit) position via monthly income statement, net assets position via balance sheet, and current ratio.

Council has established and maintains an Audit and Risk Management Committee to provide additional oversight of the audit process and outcomes, effectiveness of internal controls, and risk management processes. The Audit and Risk Management Committee play 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.

5 ASSOCIATED POLICIES/DOCUMENTS

Financial Management Practice Handbook

Rating Policy and Strategy

Asset Management Policy

Borrowing Policy

Investment Policy

Reserves Policy

6 REFERENCES AND RELATED LEGISLATION

Local Government Act 2019

Revision History



Version	Approval date	Details of change	Responsible officer
1	XXXXX	Created	Director, Corporate Services
2			

14.4 KATHERINE MEMORIAL CEMETERY POLICY

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023\OMC - AGENDA 2023 - APRIL/176455

AUTHOR : CHERIECE FRY, TECHNICAL SUPPORT OFFICER

AUTHORISER : BRENDAN PEARCE, DIRECTOR INFRASTRUCTURE AND ENVIRONMENT

ATTACHMENT/S : 1. POLICY - KATHERINE MEMORIAL CEMETERY - V3 - DRAFT.PDF  

OFFICER RECOMMENDATION

1. That Council approves the Katherine Memorial Cemetery Policy - V3.

PURPOSE OF THE REPORT

To seek Council approval of the Katherine Memorial Cemetery Policy - V3.

STRATEGIC PLAN

Priority One	Strong Leadership	Strong Leadership	Ensure strong internal governance with updated policies and procedures in place
Priority Four	Growth and Sustainability	Lead with Best Practice	Regularly update our workplace policies and procedures, and Council bylaws

KEY MESSAGES

Cemeteries are an important community asset and provide essential infrastructure and services to the community. Katherine Town Council is responsible for the Katherine Memorial Cemetery.

Council is committed to providing a professional service in keeping and maintaining the cemetery and ensuring that it is an affordable service to the people of Katherine while conserving its heritage value.

The management and operations of all Northern Territory cemeteries are governed under the *Burial and Cremation Act 2022*.

Katherine Town Council is strongly committed to ensuring that Katherine Memorial Cemetery is a place of serenity, where families can gather to pay their respects and where the community is connected through history.

BACKGROUND

As part of recent reviews of Council's governance policies, the Katherine Memorial Cemetery Policy was identified for review. The last review was undertaken in 2021, however new legislation has come into effect which makes the previous policy obsolete.

Cemeteries are an important community asset and provide essential infrastructure and services to the community. Katherine Town Council is responsible for the Katherine Memorial Cemetery.

The purpose of this policy is to outline the overall principles that underpin how Council manages its cemetery to comply with legislative requirements and to provide a dignified and responsive cemetery and memorial service to the community.

DISCUSSION

The management and operations of all Northern Territory cemeteries are governed under the *Burial and Cremation Act 2022*. The previous legislation, the *Cemeteries Act 1952*, has been repealed.

The Katherine Memorial Cemetery is made up of three distinctive areas:

- **Old Cemetery Area** – established prior to 1978.
- **Lawn Area** – the lawn area was established in 1979 and is easily distinguished by the concrete plinths.
- **Garden Area** – a specific area at the Cemetery in which cremated remains can be interred.

The revised policy has changed from the former policy in several areas:

- It reflects the new *Burial and Cremation Act 2022*
- It provides clear guidelines for burials in the Lawn Area and interments in the Garden Area
- It provides guidelines regarding exclusive burial rights, multiple burials and exhumations and the requirement for Council to maintain a register of burial details
- It includes a new provision for early pregnancy loss burials
- It includes a new provision for amending the burial register in exceptional circumstances, and
- It outlines Council's commitment to maintaining the facilities.

The new Act changed many significant aspects of burial and cremation in the Northern Territory. The main change affecting Katherine Town Council is that many decisions that were previously made by the Minister can now be made by the Chief Executive Officer, such as approving exhumations. There are also changes to the documentation requirements and burial grounds outside cemeteries can be established.

The revised policy outlines Council's strong commitment to ensuring that Katherine Memorial Cemetery is a place of serenity, where families can gather to pay their respects and where the community is connected through history.

CONSULTATION PROCESS

Katherine Town Council staff have engaged with Northern Territory Government Agencies in the development of this policy.

POLICY IMPLICATIONS

The adoption of this revised policy will ensure that Katherine Town Council policies related to the administration and operations of the Katherine Memorial Cemetery are aligned to current Northern Territory Government legislation.

BUDGET AND RESOURCE IMPLICATIONS

NIL

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

NIL

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

NIL

COUNCIL OFFICER CONFLICT OF INTEREST

We the Author and Approving Officer declare we do not have a conflict of interest in relation to this matter.



KATHERINE
TOWN COUNCIL

COUNCIL POLICY

KATHERINE MEMORIAL CEMETERY POLICY

Type:	Council Policy – Infrastructure & Environment Services		
Owner:	Director, Infrastructure and Environment		
Responsible Officer:	Chief Executive Officer		
Approval Date:		Next Review:	1 November 2026
Records Number:		Council/CEO Decision:	Council
Legislation Reference:	Section 269 of the <i>Local Government Act 2019</i> and the <i>Burial and Cremation Act 2022</i>		

1 PURPOSE

Cemeteries are an important community asset and provide essential infrastructure and services to the community. Katherine Town Council is responsible for the Katherine Memorial Cemetery.

The purpose of this policy is to outline the overall principles that underpin how Council manages its cemetery in order to comply with legislative requirements and to provide a dignified and responsive cemetery and memorial service to the community.

2 SCOPE

This policy applies to all members of the public, Council employees, residents, visitors and contractors, who have an interest in or are undertaking work within the Katherine Memorial Cemetery.

3 DEFINITIONS

Cemetery manager means the Chief Executive Officer or their delegate.

Grantee means the individual to whom an exclusive right of burial is granted.

Memorial means any structure such as a monument, plaque, headstone or any other form of construction placed at an interment site.

Plinth means a cement beam specifically made for the placement of Council approved memorials.

4 DETAILS

Council is committed to providing a professional service in keeping and maintaining the cemetery and ensuring that it is an affordable service to the people of Katherine while conserving its heritage value.

The management and operations of all Northern Territory cemeteries are governed under the *Burial and Cremation Act 2022*. The cemetery is managed by a suitably qualified person appointed by the Chief Executive Officer.

Council assumed control of the Katherine Cemetery on 1 July 1978 and acknowledges that precise identification of some specific gravesites prior to this date has proved difficult.

All plants and trees planted within the Cemetery remain the property of Council and will be maintained/removed according to Work Health & Safety requirements. Planting of flora within the cemetery is not permitted without prior approval from Council.

Council reserves the right to close an existing area to new interment rights once an area has reached capacity or is deemed by Council to be unsuitable for further use.

Council will keep a Burial Register of every person whose remains are buried or interred in the cemetery.

CEMETERY GROUNDS

The cemetery can be accessed by the public from sunrise to sunset. Access to the Cemetery is limited to people with a legitimate reason for visiting. Visitors to the Cemetery are requested to conduct themselves in a manner appropriate to the sensitivity of the location.

The cemetery has toilet facilities, a rotunda as a shady retreat for families and visitors and a mobile shade structure that can be used for burials or interments.

The Katherine Memorial Cemetery is made up of three distinctive areas:

- **Old Cemetery Area** – established prior to 1978.
- **Lawn Area** – the lawn area was established in 1979 and is easily distinguished by the concrete plinths.
- **Garden Area** – a specific area at the Cemetery in which cremated remains can be interred.

Council will install plinths in the Lawn and Garden Areas for the placement of memorials.

The following behaviour is prohibited within the cemetery grounds unless specifically authorised by Council:

- buying or selling
- distribution of handbills, cards, circulars or other advertisements, other than of a religious nature concerned with a particular burial
- meetings, other than of a religious or commemorative character or in connection with a burial
- disturbance of any funeral service or burial ceremony, whether by working in the area or otherwise
- discharge of any firearm, except at a military funeral
- damage or disturbance of any land or personal property
- disturbance of flowers or other tokens
- throwing away of, or depositing refuse or rubbish, except in waste receptacles
- bringing any offensive, noxious or dangerous material into the cemetery
- breaching of the peace or actions which cause a nuisance or otherwise offend against decency or decorum
- interfering with any trees or shrubs
- erection of any wooden structure or fence, or
- interference with any grave.

Council will provide memorials in the Lawn and Garden area. No memorials other than those supplied by Council will be permitted to be installed without prior written approval from Council.

Council reserves the right to deny the installation of any memorial which could be deemed as offensive or does not comply with Council's specifications.

No memorials will be permitted to be installed at any unmarked grave in the Old Cemetery area due to the uncertainty of grave locations. In these instances, Council will, on written request from verified next of kin, supply a bronze plaque measuring 203mm x 76mm that will be mounted on the Remembrance Wall in the Rotunda.

Families who wish to have memorial plaques installed in the Rotunda for long term residents who are not interred in the cemetery may apply to the Council in writing.

Only plaques approved by Council are permitted to be placed in the Rotunda and will be installed by cemetery staff.

Existing large garden memorials located in areas not set aside for gravesites are permitted to remain on the condition that the seating and garden beds are maintained by the families involved. The construction of further garden memorials and seating will not be permitted.

EXCLUSIVE RIGHTS OF BURIAL

Burial sites can be reserved for future use by purchasing an Exclusive Right of Burial.

Individuals may reserve up to two (2) sites in the Lawn Area or the Garden Area. Sites cannot be reserved in the Old Cemetery Area.

Where a future use Exclusive Right of Burial has been issued, the Council supplied headstone will be stamped 'R' to indicate the status of that particular site. The registered Exclusive Right grantee or lawful executor of the deceased may arrange for an alternative memorial to be installed, following prior written approval by Council.

Council will grant an exclusive right for 50 years. A one-off fee for this exclusive right is outlined in Council's annual Fees and Charges statement.

Council will issue a "Certificate of grant of exclusive right of burial" when the exclusive right is granted by the Chief Executive Officer, in accordance with section 52 of the *Burial and Cremation Act 2022*. At least 12 months before the exclusive right expires, Council will take reasonable steps to contact the grantee to seek advice about renewal. If they cannot be located, the exclusive right will cease to exist, and Council may re-allocate that burial site.

Where Council's historical records indicate a site as being reserved prior to the issuing of Exclusive Right of Burial Certificates, Council will endeavour to honour these reservations on the provision that the relevant Exclusive Right of Burial fee is paid.

Council will maintain a Register of Exclusive Rights of Burial in which the following particulars will be recorded:

- full name, postal address and contact details of the Exclusive Right grantee and their personal representative or next of kin
- place of burial in respect of which each exclusive right burial was granted
- the name/s of whose remains can be interred, and
- the date upon which the Exclusive Right was granted.

It is the responsibility of the Exclusive Right grantee to ensure Council is notified of any changes to their contact details.

A person claiming ownership of an Exclusive Right of Burial must, if requested, provide proof of ownership to Council. A person acting on behalf of an Exclusive Right grantee will need to provide written instruction from the grantee illustrating their intention and delegated authority to Council.

If the grantee of an exclusive right of burial is deceased, the right may be exercised, subject to any conditions specified on the certificate issued by Council, by the personal representative for the grantee or the decision maker for the deceased grantee.

Transferring an Exclusive Right of Burial

An unexercised exclusive right is not transferrable to another person.

Surrender of an Exclusive Right of Burial

An unexercised exclusive right may be surrendered by the grantee to Council on the terms outlined in the certificate of exclusive right issued by Council. The existing certificate of Exclusive Right must be returned to Council. Council will not provide a refund of the one-off fee for surrender of an exclusive right.

LAWN AREA BURIALS

Council requires four (4) business days' notice prior to a burial being confirmed to allow sufficient time for processing and grave digging to be completed.

Before a burial will be permitted in the Lawn Area, Council will require a Burial Approval Form detailing the deceased individual's details; full name, address and contact details of the applicant and their relationship to the deceased person, accompanied by one of the following documents:

- a notice under section 34(1) of the *Births, Deaths and Marriages Registration Act 1996*,
- a certificate under section 12(3) of the *Births, Deaths and Marriages Registration Act 1996*,
- a certificate issued by the coroner or the coroner's clerk under section 17(1) of the *Coroners Act 1993*, or
- a certificate issued by the Registrar under section 44(1)(a) of the *Births, Deaths and Marriages Registration Act 1996* certifying the registration of the death of the deceased person.

The cemetery manager must provide written approval before the burial can proceed.

The cemetery manager may refuse to approve a burial unless the proposed burial relates to the exercise of rights and interests of Aboriginal traditional owners and Aboriginal people and the proposed burial does not contravene any relevant laws.

If the cemetery manager refuses to approve a burial, the manager must give the applicant a written notice outlining their decision. The decision can be reviewed under the *Northern Territory Civil and Administrative Tribunal Act 2014*.

The usual days for burials are Monday to Friday (excluding public holidays) between sunrise and 3pm. Burials after 3pm on weekdays may involve additional fees. Burials on weekends or on public holidays may be conducted only by special arrangement with Council and will be subject to fees specified in the schedule of fees and charges.

Graves are to be closed within one hour of the conclusion of the funeral service, or as soon as the attendees have vacated.

Graves will be dug horizontally. All graves shall be dug to a minimum depth of 2.4 metres to accommodate double burials unless otherwise requested. Where the deceased person whose body is to be buried in the grave was, at the date of his death, less than 8 years of age then the grave shall be dug to a minimum depth of 1.5 metres. The grave will be backfilled with the original excavated material and when the grave begins to settle the site will be re-topped with soil as required. Digging of graves shall only be undertaken by cemetery staff or those contracted by Council.

Grave mounds will be levelled and planted with lawn seed by cemetery staff two (2) weeks after a burial. All flowers and wreaths adorning the grave will be discarded at the time of levelling.

Council will supply a single headstone with a standard design bronze identification plaque measuring 137mm x 102mm at each grave site in the Lawn area. The cost of the plaque is included as part of the cost of the burial.

Vacant grave sites will not be allocated until a minimum of 12 months after the use of the neighbouring site. Vaults and other forms of above ground interments are not permitted.

Cremated remains to be interred in the Lawn Area must be contained within a sealed receptacle of durable material. Before an interment will be permitted in the Lawn Area, Council will require a Notice of Interment of Ashes detailing the deceased individual's details; full name, address and contact details of the applicant and their relationship to the deceased person, accompanied by each of the following documents:

- a copy of the deceased's Death Certificate, and
- proof of the disposal of human remains by a licensed facility.

Relatives may purchase headstones of marble of similar material. However, headstones must remain the same dimensions.

GARDEN AREA INTERMENTS

Council provides a specific area at the Cemetery in which cremated remains may be interred, either permanently or temporarily.

Council requires three (3) business days' notice prior to an interment being confirmed, to allow sufficient time for processing and preparation of the interment site. Fees for the interment of ashes are outlined in Council's Fees and Charges schedule.

Before an interment will be permitted in the Garden Area, Council will require a Notice of Interment of Ashes detailing the deceased individual's details; full name, address and contact details of the applicant and their relationship to the deceased person, accompanied by each of the following documents:

- a copy of the deceased's Death Certificate, and
- proof of the disposal of human remains by a licensed facility.

The cemetery manager must provide written approval before the interment can proceed.

If the cemetery manager refuses to approve an interment, the manager must give the applicant a written notice outlining their decision. The decision can be reviewed under the *Northern Territory Civil and Administrative Tribunal Act 2014*.

Cremated remains must be contained within a sealed receptacle of durable material measuring no larger than 287mm (height) x 128mm (diameter).

Council will supply a single headstone with a standard design bronze identification plaque measuring 229mm x 229mm for all interments in the Garden area. The cost of the plaque is included as part of the cost of the interment.

The normal days for interments shall be Monday to Friday (excluding public holidays) and interments outside these days are by special arrangement with Council. Interments will not take place during the time between sunset on any day and sunrise on the next succeeding day.

Council will retain a record of ashes interred in the Garden Area.

A request to remove interred cremated remains must be made in writing to the Chief Executive Officer.

Scattering of Cremated Remains

A Notice of Interment of Ashes is not required for the scattering of ashes within the cemetery.

Details of deceased person whose ashes have been scattered at the cemetery will not be recorded in Council's Burial Register.

EARLY LOSS PREGNANCY

Council will allow the burial of un-registrable foetus remains caused by an early pregnancy loss prior to 20 weeks gestation and under 400 grams body mass.

Council will require a Burial Approval Form detailing the deceased infant's details; full name, address and contact details of the applicant and their relationship to the deceased infant, accompanied by a medical certificate or a statement/letter from the Medical Practitioner confirming the details of the delivery.

MULTIPLE BURIALS OR INTERMENTS

Council will allow the reopening of graves for multiple burials or interments at the cemetery upon completion of a Multiple Burial Application Form. Multiple burials will be subject to the following conditions:

- The original site must be clearly marked with a headstone or plaque.
- The depth of the original site allows for a second interment to meet the requirements of section 81 of the *Burial and Cremation Act 2022*.
- An Exclusive Right was issued at the time of the original burial approving a second interment.
- Where an Exclusive Right has not been issued then written consent must be sought from the Chief Executive Officer, including confirmation of consent for the proposed multiple burial from each decision maker for each deceased person buried at the burial site.

EXHUMATIONS

An individual may apply to the Chief Executive Officer for approval to exhume human remains of a deceased person in the cemetery and relocate the human remains to another place in or outside the Northern Territory.

The Chief Executive Officer must provide written approval before the exhumation can proceed.

Council will not be responsible for any costs relating to an exhumation.

PRE-PAID BURIALS

Council will no longer accept payment for pre-paid burials.

MAINTENANCE

Council will maintain lawn areas, trees and vegetation, roadways and paths adjacent to and within the cemetery grounds. All shrubs, plants in the cemetery and gardens are planted and cared for by Council. Council may remove any trees, shrubs or other vegetation from the cemetery as required.

Trees, shrubs, or other plants are not to be planted on any grave in the lawn section. Items that would prohibit the lawn to regrow are not to be placed on lawn sections.

Council may undertake work on monuments to ensure public and staff safety. Cemetery staff will be permitted to refill any site that falls below ground level.

The registered Exclusive Right grantee of the interment site will need to keep any associated memorial in good repair and proper condition.

Council will not be liable for the care, maintenance, preservation or restoration of any memorial. Council will not accept responsibility for any damage to memorials through acts of vandalism or severe storm events.

Council may act to remove any memorial dilapidated, unsafe or unsightly, including any memorial or structure installed without Council's approval.

Any non-conforming headstones installed prior to 28 July 2021 will be permitted to remain in place, however, any future replacement of these headstones must comply with Council's guidelines.

FLOWER AND ORNAMENT GUIDELINES

Council is committed to maintaining Katherine Memorial Cemetery's tidy presentation. We understand that people want to decorate a grave or memorial for sentimental or religious reasons. To ensure this is done in a safe and tidy way, please ask Council for a copy of the Flower and Ornament Guidelines.

All tributes are to be placed on the plinth to ensure ease of maintenance and to reduce damage to the lawn. Aged flowers and wreaths will be removed at Council's discretion and without notice.

Tributes that do not conform to Council's guidelines will be removed at Council's discretion and without notice.

The erection of fencing or private decorative gardens is not allowed. Fixtures or fittings of any kind are not to be permanently attached to the plinths without prior written approval from Council.

VEHICLES

Vehicle movements within the cemetery must comply with posted speed limits and other vehicle management signs.

Private vehicles are not permitted within burial areas and must stay within designated driveways and parking areas.

Overnight parking or camping is not permitted in the cemetery.

CEMETERY FEES

The cemetery fees are included in Council's Schedule of Fees & Charges which may be amended from time to time by Council resolution.

Where relatives wish to provide an alternative headstone and/or plaque, this will be at their own cost and it must confirm with Council's guidelines.

RECORDS

In accordance with relevant legislation, Council will collect the information necessary to meet the requirements for the keeping of cemetery registers.

Information contained in cemetery registers and plans held by Council is available upon application.

Amendment to Burial Records

Under exceptional circumstances, Council will amend details in the burial register upon request, including the provision of relevant documentation.

ORGANISED EVENTS (OTHER THAN FUNERALS/BURIALS)

Where a family or community event or group activity is to be held in the cemetery (other than a pre-approved funeral, burial or interment), the organiser must contact Council's cemetery staff at least two weeks prior to the event.

Some events may require the submission of documentation, such as a risk assessment and public liability insurance. Written approval for the event must be given by Council before accessing the cemetery.

5 ASSOCIATED POLICIES/DOCUMENTS

Katherine Cemetery Flower and Ornament guidelines

Annual Fees and Charges statement (published on the website)

6 REFERENCES AND RELATED LEGISLATION

Local Government Act 2019

Burial and Cremation Act 2022

Burial and Cremation Regulations 2022

Births, Deaths and Marriages Registration Act 1996

Coroners Act 1993

Northern Territory Civil and Administrative Tribunal Act 2014

Revision History


Version	Approval date	Details of change	Responsible officer
1	2006	Created	CEO
2	27/07/2021	Revised to include more information about exclusive burial rights and management of the cemetery	Director, Infrastructure and Environment
3	XXXXXX	Revised policy, new template	Director, Infrastructure and Environment

14.5 DRAFT GUIDELINE FOR THE MANAGEMENT OF HUMAN REMAINS

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023\OMC - AGENDA 2023 - APRIL/178186

AUTHOR : BRENDAN PEARCE, DIRECTOR INFRASTRUCTURE AND ENVIRONMENT

AUTHORISER : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

ATTACHMENT/S : 1. DRAFT - GUIDELINE FOR THE MANAGEMENT OF HUMAN REMAINS - MARCH 2023.PDF 

OFFICER RECOMMENDATION

That Council receive and note the Draft Guideline for the Management of Human Remains report.

PURPOSE OF REPORT

This report is to advise Council that the Department of the Chief Minister and Cabinet (CM&C) is consulting with stakeholders on the draft *Guideline for the management of human remains* (attached). They have requested that this draft guideline be tabled and considered by Council and have requested feedback – if any - to be provided by Friday 28th April 2023.

STRATEGIC PLAN

Priority One	Strong Leadership	Strong Leadership	Ensure strong internal governance with updated policies and procedures in place
Priority Five	Arts, Culture and Heritage	Support Culture	Support culturally-appropriate facilities

BACKGROUND

This report is to advise Council that the Department of the Chief Minister and Cabinet (CM&C) is consulting with stakeholders on the draft *Guideline for the management of human remains*.

The draft Guideline is proposed to be made under section 194 of the *Burial and Cremation Act 2022*, which empowers the Chief Executive Officer of CM&C to make guidelines relating to any matter under the Act.

The draft Guideline includes the following topics:

- identification of human remains;
- exhumations and declared infectious diseases;
- decision making with regard to human remains;
- protocols in relation to communicating with next of kin;

- exhumation of human remains; and
- standards for the appropriate transportation and storage of human remains.

DISCUSSION

As operators of the Katherine Memorial Cemetery, issues may arise from time to time that require Council to make decisions with regards to human remains. This Guideline will be a valuable resource to assist Council in carryout these actions, if ever required.

CONSULTATION PROCESS

This is a draft consultation paper from the legislator to seek feedback and or comments from Councils / Cemetery Trusts prior to adoption.

POLICY IMPLICATIONS

Burial and Cremation Act 2022

Katherine Memorial Cemetery Policy

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

Nil

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

Nil

COUNCIL OFFICER CONFLICT OF INTEREST

We the Author and Approving Officer declare we do not have a conflict of interest in relation to this matter.

Guideline for the management of human remains

Department of the Chief Minister and Cabinet



Document title	Guideline for the management of human remains
Contact details	Department of the Chief Minister and Cabinet
Approved by	
Date approved	
Document review	
TRM number	

Burial and Cremation Act 2022

Making of Guideline

I, Frank Frederick Stewart Daly, Chief Executive Officer of the Department of the Chief Minister and Cabinet, under section 192(2) and section 194(1) of the *Burial and Cremation Act 2022*, hereby make this Guideline.

.....

Chief Executive Officer

Department of the Chief Minister and Cabinet

/ / 2023

*Guideline for the management of human remains***Contents**

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DRAFT ONLY

Guideline for the management of human remains

1 Title

- 1.1 This Guideline is titled *Guideline for the management of human remains*.

2 Commencement

- 2.1 This Guideline commences on the day after the day it is made.

3 Definitions

For the purposes of this Guideline:

Act means the *Burial and Cremation Act 2022*.

CEO means the Chief Executive Officer of the Agency administering the Act.

CHO means the Chief Health Officer.

declared infectious disease, see clause 7.

exhumation means the removal of human remains from a burial site, including the temporary removal of human remains for reburial at the same burial site.

exhumed remains means human remains that have been exhumed from a burial site and have not yet been buried, disposed of, or otherwise relocated.

identifier:

- (a) for human remains – means information that is attached to the deceased person for the purposes of identifying the human remains; or
- (b) for a funerary box – means information that is attached to, or marked on, the funerary box for the purposes of identifying the human remains that are in the funerary box.

vehicle includes the following:

- (a) an aircraft;
- (b) a motor vehicle;
- (c) a vessel as defined in the *Marine Act 1981*.

Note for clause 3

The Act also contains definitions that are relevant to this Guideline.

4 Relevance to Act

- 4.1 Section 192(2) of the Act provides that the CEO may, after consulting with the CHO, make guidelines in relation to any declared infectious disease for the purposes of burials, disposals or exhumations under this Act.
- 4.2 Section 194(1) of the Act provides that the CEO may make guidelines relating to any matter under this Act.

5 Purpose

- 5.1 This Guideline provides guidance and rules for the following matters relating to the management of human remains:
- (a) identification of human remains;
 - (b) exhumations and declared infectious diseases;

Guideline for the management of human remains

- (c) exhumation of human remains inside cemeteries;
- (d) decision making with regard to human remains;
- (e) protocols in relation to communicating with next of kin;
- (f) transportation of human remains; and
- (g) storage of human remains.

6 Identification

6.1 As soon as practicable after the death of a deceased person, the following are to be identified by the funeral director managing the human remains through the use of an identifier:

- (a) the human remains;
- (b) the funerary box for the human remains, if applicable.

Example for clause 6.1(a)

An identifier used for human remains may be a wrist or ankle band.

6.2 A funeral director is to establish and maintain electronic records relating to identifiers.

7 Declared infectious diseases

7.1 In accordance with section 192(1) of the Act, in relation to exhumations, a declared infectious disease is one of the following diseases:

- (a) diphtheria;
- (b) human coronavirus with pandemic potential;
- (c) human influenza with pandemic potential;
- (d) Middle East respiratory syndrome;
- (e) plague;
- (f) severe acute respiratory syndrome;
- (g) smallpox;
- (h) tuberculosis;
- (i) viral haemorrhagic fevers.

8 Exhumation inside cemetery

8.1 In accordance with section 87(5)(c) of the Act, an application for approval to exhume human remains of a deceased person in a cemetery will require consultation with the CHO if:

- (a) the deceased person suffered from a declared infectious disease at the time of the person's death; and
- (b) the burial occurred less than 6 months prior to the date of the proposed exhumation.

Note for clause 8.1

Consultation with the CHO is also required in relation to an exhumation of human remains outside a cemetery if the circumstances set out in paragraphs (a) and (b) apply. See section 94(3)(b) of the Act.

Guideline for the management of human remains

- 8.2 In accordance with section 87(6) of the Act, in relation to giving an exhumation approval for an exhumation inside a cemetery, the CEO may impose conditions that the CEO considers appropriate that are consistent with, or otherwise in addition to, this Guideline.
- 8.3 For section 90 of the Act, in relation to an exception for an exhumation approval, human remains are still considered to have been immediately returned to the burial site despite:
- (a) the exhumed remains being transported for temporary storage; or
 - (b) the exhumed remains being placed in funerary box, receptacle, container or wrapping.

9 Decision making

- 9.1 Subject to any other legislative requirements, decision making for the transportation and storage of human remains of a deceased person is to be done in accordance with:
- (a) the wishes of the decision maker for the deceased person; and
 - (b) this Guideline.

Note for clause 9.1

A decision maker, for a deceased person, is defined in section 9 of the Act as:

- (a) the executor or administrator of the estate of the deceased person; or
- (b) if there is no executor or administrator of the estate of the deceased person – the senior next of kin; or
- (c) in any other case – the Public Trustee.

10 Communication protocols

- 10.1 Next of kin of a deceased person should be provided with timely, adequate and accurate information, for the purpose of making decisions related to a deceased person's remains.

Note for clause 10.1

Consideration should be given to the next of kin's preferred method of communication and reasonable requests such as:

- (a) having a support person present; and/or
- (b) having an interpreter present; and/or
- (c) receiving information in written and/or verbal form.

- 10.2 If applicable, interpreters who are accredited or recognised by the National Accreditation Authority for Translators and Interpreters should be used when discussing matters related to decisions about human remains.

Note for clause 10.2

A suitable interpreter may be identified by contacting the Interpreting and Translating Service NT, or the Aboriginal Interpreter Service.

- 10.3 Where a dispute has arisen in relation to determining the decision maker or senior next of kin for a deceased person, it is recommended that disputing parties:
- (a) in the first instance, participate in mediation in accordance with provisions in section 12 of the Act; and
 - (b) if the dispute remains unresolved, make an application with the Northern Territory Civil Administration Tribunal for a determination of the decision maker or senior next of kin for the deceased person.

Guideline for the management of human remains

11 Transportation and storage

- 11.1** Human remains that are being transported in a vehicle are to be covered and placed in a part of the vehicle that:
- (a) is physically separate from the part of the vehicle designed for the carriage of the driver and passengers;
 - (b) allows for the secure placement of the human remains or the human remains are otherwise restrained during transport; and
 - (c) is capable of being easily cleaned and disinfected.
- 11.2** Human remains are not to be transported in a vehicle for more than 8 hours while unrefrigerated.
- 11.3** A vehicle is not to be used for the storage of human remains.
- 11.4** Human remains that are being transported in a vehicle are to be contained in a funerary box, receptacle, container or wrapping that does not allow any bodily discharge, contaminants or infectious substances to escape.
- 11.5** A funerary box, receptacle, container or wrapping is to be an appropriate size to accommodate the human remains lying flat and straight.
- 11.6** When not being transported, human remains must be stored in a location that:
- (a) has adequate temperature controls to manage the condition of the human remains; and
 - (b) is solely reserved for the storage of human remains or is otherwise physically separated from other areas of the location that are used for other purposes.
- 11.7** If human remains are to be exhumed within 12 months after burial, the storage of the exhumed remains must be:
- (a) in a freezer facility; and
 - (b) arranged and confirmed prior to the exhumation taking place.
- 11.8** Clauses 11.4, 11.5, 11.6 and 11.7 do not apply if the containment or storage of the human remains relates to the exercise of rights and interests mentioned in section 5 of the Act.

Example for clause 11.8

Human remains kept in a traditional keeping place as an exercise of traditional rights to use Aboriginal land in accordance with the Aboriginal Land Rights (Northern Territory) Act 1976 (Cth).

14.6 AFFIX COMMON SEAL - CMC FUNDING AGREEMENT - SAFER TERRITORY PLACES GRANT

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023/178312

AUTHOR : CASEY ANDERSON, ADMINISTRATION MANAGER

AUTHORISER : AVTAR SINGH, DIRECTOR OF CORPORATE SERVICES

ATTACHMENT/S : NIL

OFFICER RECOMMENDATION

1. That Council authorises the Mayor and Chief Executive Officer to execute the Department of the Chief Minister and Cabinet Safer Territory Places Grant agreement of \$230 000 and affix the Common Seal to fund:
 - (a) 40 Additional Solar Lights - \$170,000,
 - (b) Skate Park Lighting Upgrade - \$20,000,
 - (c) Additional Laneway Closure - \$30,000, and
 - (d) Community Night Owl Patrol Project - \$10,000.

PURPOSE OF REPORT

To seek Councils approval to authorise the Mayor and Chief Executive Office to affix the Council's common seal as required.

STRATEGIC PLAN

Priority One	Strong Leadership	Financial	Pursue grants for new and upgraded infrastructure and programs
Priority One	Strong Leadership	Strong Leadership	Learn what the community wants to know through community engagement strategies.
Priority Two	Community and Families	Safe Community	Improve street lighting for safety
Priority Two	Community and Families	Safe Community	Provide safe and accessible public amenities throughout Katherine

BACKGROUND

The Northern Territory Government Safer Territory Places Grant program is an annual funding stream for projects that implement strategies to make public places safer, using CPTED principles in

identified Hot-Spot locations. Council has previously been funded solar lighting in Grevillea Park, East Side to CBD footpath and Sports Precinct Ring Road, and a mobile lighting tower.

DISCUSSION

The Department of Chief Minister and Cabinet (CM&C) have funded the below activities to develop, promote and implement initiatives to reduce anti-social behaviour in Katherine. The following are the funded activities as scheduled below:

A. 40 Additional Solar Lights - \$170,000

A.1 Skate Park Lighting Upgrade - \$20,000

A.2 Additional Laneway Closure - \$30,000

A.3 Community Night Owl Patrol Project - \$10,000

Funding Total: \$230,000

Schedule A

Funding of \$170,000 for the installation of 40 additional solar lights is granted.

Schedule A.1

Funding of \$20,000 is granted to conduct lighting upgrades at the Katherine skate park and adventure playground.

Schedule A.2

Funding of \$30,000, subject to being matched by Katherine Town Council is granted to assist with the costs of additional laneway closures within the Katherine East area.

Schedule A.3

Funding of \$10,000 to support vehicle, administrative and operational costs to trail a Community Night Owl project. Katherine Town Council are to work closely with CM&C on the delivery of the project.

The funding activity period for this Funded Activity commences on Tuesday 4 April 2023 and ends on Friday 30 June 2023 unless varied in accordance with the agreement.

CONSULTATION PROCESS

Schedule A

Lights are to be installed in key areas within Katherine township and areas identified by community groups, police and Katherine Town Council. Final locations of the lights to be approved by CM&C following engagement.

Schedule A.2

Katherine Town Council to consult with property owners and surrounding community members.

POLICY IMPLICATIONS

No policy implications

BUDGET AND RESOURCE IMPLICATIONS

Schedule A.2 is subject to being matched for \$30,000 for Katherine's laneway closures.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

NIL

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

NIL

COUNCIL OFFICER CONFLICT OF INTEREST

We the Author and Approving Officer declare we do not have a conflict of interest in relation to this matter.

14.7 SECOND BUDGET REVIEW 2022-2023

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023\OMC - AGENDA 2023 - APRIL/178278

AUTHOR : AVTAR SINGH, DIRECTOR OF CORPORATE SERVICES

AUTHORISER : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

ATTACHMENT/S : 1. REVISED FINANCIAL STATEMENTS AND LONG TERM FINANCIAL PLAN.PDF  

OFFICER RECOMMENDATION

1. That Council:
 - (a) Adopt the 2022-2023 amended budget as presented in this second budget review and included on the attached Revised Statement of Income & Expenditure, Statement of Financial Position, Statement of Cash Flows (Financial Statements) and Long-Term Financial Plan.
 - (b) Authorise management to upload 2022-2023 amended budget as presented in the attached Financial Statements and the Long-Term Financial Plan on Council's website.

PURPOSE OF REPORT

The purpose of this report is to present Council the second budget review 2022-2023.

STRATEGIC PLAN

Priority Four	Growth and Sustainability	Lead with Best Practice	Be prudent with our financial management for stronger returns for ratepayers and sustainable long-term finances with current risk management practices current at all times.
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BACKGROUND

In accordance with the Local Government (General) Regulations, Council is required to undertake two budget reviews during the financial year. Accordingly, Council's management have conducted a second review of the 2022-2023 budget. This report presents Council with the second budget review.

DISCUSSION

This second budget review recommends following adjustments/amendments to Council's original approved 2022-2023 budget.

1. Upward Adjustment of \$502K to Interest / Investment Income:

Management recommends an upward adjustment/amendment of \$502K to the originally budgeted Investment Income of \$28K. The interest rates were extremely low when the original budget was prepared. Interest rates have been continuously rising since May 2022 and management has been proactively working on growing Council's Investment Portfolio to boost the investment income. Considering our actual return on investments, the originally budgeted investment income of \$28K is very low, therefore an amendment is needed. This adjustment will raise investment income budget to \$530K for 2022-2023.

2. Upward Adjustment of \$750K to Capital Grants Income:

KTC recently received \$750K Capital Grant Funds from the Australian Government (via DIPL), being final portion of the bridge renewal (Leight Creek) funding. The project was finished in 2021-2022. This receipt is recorded as a Capital Grant Income in FY 2022-2023. Therefore, an amendment is required to be made to the Capital Grant Income budget. This adjustment will raise capital grant income budget from \$0 to \$750K for 2022-2023.

The above adjustments will result in changing the total operating budgeted income to \$14,752,047, operating deficit to -\$1,526,235, and the net operating surplus position to \$1,252,073 (compared to the originally budgeted amount of \$73).

Attached are the Revised Statement of Income & Expenditure, Statement of Financial Position, Statement of Cash Flows (Financial Statements) and Long-Term Financial Plan incorporating the above adjustments.

CONSULTATION PROCESS

The CEO, Directors, Managers

POLICY IMPLICATIONS

NIL

BUDGET AND RESOURCE IMPLICATIONS

As discussed above and reflected in the attachments.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

NIL

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

NIL

COUNCIL OFFICER CONFLICT OF INTEREST

We the Author and Approving Officer declare we do not have a conflict of interest in relation to this matter.

Ingrid Stonhill
CHIEF EXECUTIVE OFFICER

STATEMENT OF INCOME AND EXPENDITURE

OPERATING INCOME	Annual Budget (\$)
Rates	8,276,505
Waste Charges	1,427,571
Operating Grants and Subsidies	2,221,500
Fees and Charges	2,211,471
Interest / Investment Income	530,000
Other Income	85,000
TOTAL INCOME	14,752,047
OPERATING EXPENDITURE	
Employee Expenses	5,774,926
Materials and Contracts	6,809,404
Elected Member Allowances	269,669
Elected Member Expenses	-
Council Committee & LA Allowances	-
Council Committee & LA Expenses	-
Depreciation, Amortisation and Impairment	3,424,283
Interest Expenses	-
Other Expenses	-
TOTAL EXPENDITURE	16,278,282
BUDGETED OPERATING SURPLUS/DEF	- 1,526,235
Capital Grants Income	750,000
BUDGETED SURPLUS / DEFICIT	- 776,235
Capital Expenditure	1,395,975
Borrowing Repayments (Principal Only)	-
Transfers to Reserves	-
Less Non-Cash Income	-
Add Back Non-Cash Expenses	- 3,424,283
NET BUDGET SURPLUS / DEFICIT	1,252,073
Prior Year Carry Forward Tied Funding	-
Other Inflow of Funds	-
Transfers from Reserves	-
TOTAL ADDITIONAL INFLOWS	-
NET OPERATING POSITION	1,252,073

LONG-TERM FINANCIAL PLAN					
LONG-TERM FINANCIAL PLAN		Annual Budget	Outer Financial Year 1 Budget	OFY2 Budget	OFY3 Budget
EXPLANATION	OPERATING INCOME				
<i>Estimated rates to be raised</i>	Rates	8,276,505	8,673,777	9,090,119	9,526,444
<i>Estimated waste charges to be raised</i>	Waste Charges	1,427,571	1,496,094	1,567,907	1,643,166
<i>Appropriate categories to be determined by council</i>	Operating Grants and Subsidies	2,221,500	2,232,608	2,243,771	2,254,989
<i>Untied/tied grants for operating activities where expenditure will be recorded as an operating expense</i>	Fees and Charges	2,211,471	2,284,450	2,359,836	2,437,711
<i>Interest from cash balances and other investments</i>	Interest / Investment Income	530,000	450,000	450,000	450,000
<i>Any other income in cash or in-kind</i>	Other Income	85,000	85,425	85,852	86,281
	TOTAL INCOME	14,752,047	15,222,354	15,797,485	16,398,592
	OPERATING EXPENDITURE				
	Employee Expenses	5,774,926	6,121,422	6,488,707	6,878,029
<i>To include repair and maintenance expenditure unless reported separately</i>	Materials and Contracts	6,809,404	6,877,498	6,946,273	7,015,736
<i>Allowances to be set as part of the budget</i>	Elected Member Allowances	269,669	272,366	275,089	277,840
	Depreciation, Amortisation and Impairment	3,424,283	3,424,283	3,424,283	3,424,283
	Interest Expenses	-	-	-	-
	Other Expenses	-	-	-	-
	TOTAL EXPENDITURE	16,278,282	16,695,568	17,134,352	17,595,888
	BUDGETED OPERATING SURPLUS / DEFICIT	- 1,526,235	- 1,473,215	- 1,336,868	- 1,197,296
<i>Grants for capital transactions where expenditure is recorded in the balance sheet</i>	Capital Grants Income	750,000	500,000	500,000	500,000
	BUDGETED SURPLUS / DEFICIT	- 776,235	- 973,215	- 836,868	- 697,296
Estimated capital and non-cash adjustments:					
LONG-TERM FINANCIAL PLAN		Annual Budget	Outer Financial Year 1 Budget	OFY2 Budget	OFY3 Budget
<i>Amount copied from bottom of last page</i>	BUDGETED SURPLUS / DEFICIT	- 776,235	- 973,215	- 836,868	- 697,296
<i>Total capital expenditure per Table 3</i>	Capital Expenditure	1,395,975	1,391,640	2,468,600	1,872,865
<i>To be approved by council resolution</i>	Transfers to Reserves	-	-	-	-
<i>Non-cash revenue included in operating income</i>	Less Non-Cash Income	-	-	-	-
<i>Non-cash expenses included in operating expenses</i>	Add Back Non-Cash Expenses	- 3,424,283	- 3,424,283	- 3,424,283	- 3,424,283
<i>Includes current/budget year plus relevant previous year balances</i>	NET BUDGET SURPLUS / DEFICIT	1,252,073	1,059,428	118,815	854,122
Estimated additional inflows to be funded by:					
<i>Prior year tied revenue to be used for operating expenses</i>	Prior Year Carry Forward Tied Funding	-	-	-	-
<i>To include borrowings</i>	Other Inflow of Funds	-	-	-	-
<i>To be approved by council resolution</i>	Transfers from Reserves	-	-	810,000	70,000
	TOTAL ADDITIONAL INFLOWS	-	-	-	-
Must not be a deficit	NET BUDGETED OPERATING POSITION	1,252,073	1,059,428	928,815	924,122

STATEMENT OF FINANCIAL POSITION				
	Budget 22-23	Budget 23-24	Budget 24-25	Budget 25-26
	2022/2023	2023/2024	2024/2025	2025/2026
ASSETS				
CURRENT ASSETS				
Cash and Cash Equivalent	17,636,763	18,765,268	18,929,089	19,828,129
Receivables	2,101,368	2,100,409	2,124,181	2,148,708
Inventories	16,462	17,121	17,805	18,518
Total Current Assets	19,754,594	20,882,797	21,071,075	21,995,355
NON-CURRENT ASSETS				
Property Plant and Equipment	87,214,745	85,182,102	84,226,419	82,675,001
Other Non-Current Assets	10,096,331	10,096,331	10,096,331	10,096,331
Total Non-Current Assets	97,311,076	95,278,433	94,322,750	92,771,332
TOTAL ASSETS	117,065,670	116,161,230	115,393,825	114,766,687
LIABILITIES				
CURRENT LIABILITIES				
Payables	2,114,755	2,179,759	2,245,431	2,311,779
Provisions	661,887	665,196	668,522	671,865
Total Current Liabilities	2,776,642	2,844,955	2,913,954	2,983,644
NON-CURRENT LIABILITIES				
Provisions	92,403	92,865	93,329	93,796
Total Non-Current Liabilities	92,403	92,865	93,329	93,796
TOTAL LIABILITIES	2,869,045	2,937,820	3,007,283	3,077,440
NET ASSETS	114,196,625	113,223,410	112,386,543	111,689,247
EQUITY				
Accumulated Surplus	24,896,199	23,922,984	23,896,117	23,268,821
Asset Revaluation Reserves	75,549,402	75,549,402	75,549,402	75,549,402
Other Reserves	13,751,024	13,751,024	12,941,024	12,871,024
TOTAL COUNCIL EQUITY	114,196,625	113,223,410	112,386,543	111,689,247

STATEMENT OF CASH FLOWS				
	Budget 22-23	Budget 23-24	Budget 24-25	Budget 25-26
	2022/2023	2023/2024	2024/2025	2025/2026
CASH FLOWS FROM OPERATING ACTIVITIES				
RECEIPTS				
Rates	8,276,505	8,673,777	9,090,119	9,526,444
Waste Charges	1,427,571	1,496,094	1,567,907	1,643,166
Operating Grants, Subsidies & Contributions	2,221,500	2,232,608	2,243,771	2,254,989
Fees & Charges	2,189,356	2,261,605	2,336,238	2,413,334
Interest Earnings	399,170	474,000	450,000	450,000
Other Revenue	84,150	84,571	84,994	85,419
Sub-total	14,598,252	15,222,655	15,773,028	16,373,353
PAYMENTS				
Employee Costs	(5,774,926)	(6,121,422)	(6,488,707)	(6,878,029)
Materials & Contracts	(6,741,310)	(6,808,723)	(6,876,810)	(6,945,578)
Elected Members Allowances	(269,669)	(272,366)	(275,089)	(277,840)
Sub-total	(12,785,905)	(13,202,510)	(13,640,606)	(14,101,448)
Net Cash Provided by (Used in) Operating Activities	1,812,347	2,020,145	2,132,421	2,271,905
CASH FLOWS FROM INVESTING ACTIVITIES				
RECEIPTS:				
Amounts Specifically for New or Upgraded Assets	750,000	500,000	500,000	500,000
Sale of Replaced Assets	-	-	-	-
PAYMENTS:				
Expenditure on Renewal/Replacement of Assets	(1,395,975)	(1,391,640)	(2,468,600)	(1,872,865)
Net Cash Provided by (Used in) Investing Activities	(645,975)	(891,640)	(1,968,600)	(1,372,865)
NET INCREASE (DECREASE) IN CASH HELD	1,166,372	1,128,505	163,821	899,040
Cash & Cash Equivalents at Beginning of Period	16,470,391	17,636,763	18,765,268	18,929,089
Cash & Cash Equivalents at End of Period	17,636,763	18,765,268	18,929,089	19,828,129

14.8 FINANCE REPORT FOR THE MONTH OF MARCH 2023

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023\OMC - AGENDA 2023 - APRIL/178229

AUTHOR : AVTAR SINGH, DIRECTOR OF CORPORATE SERVICES

AUTHORISER : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

ATTACHMENT/S : 1. MONTHLY REPORT - FINANCE - MAR 2023 - ATTACHMENT.PDF  

OFFICER RECOMMENDATION

1. That Council endorse the Finance Report for the Month of March 2023.

PURPOSE OF REPORT

The purpose of this report is to present to Council the Financial Report for March 2023.

STRATEGIC PLAN

Priority Four	Growth and Sustainability	Lead with Best Practice	Be prudent with our financial management for stronger returns for ratepayers and sustainable long-term finances with current risk management practices current at all times.
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BACKGROUND

In accordance with the Local Government (General) Regulations 2021 – Part 2 (Division 7), the below monthly report must be presented to Council at their Ordinary Monthly Council Meeting. Accordingly, the commentary attached presents the financial position of the council at the end of March 2023 with the Chief Executive Officer (CEO) Certification.

DISCUSSION

- Total YTD income is 2.18% above budget mainly due to increase in interest revenue. Management is proactively working on growing Council’s Investment Portfolio to boost the investment income.
- Total YTD operating expenditure is 8.00% below budget.

- Employee Costs are below budget by 13.10% as some positions remained vacant throughout the year.
- Materials/Services are below budget by 7.47% due to timing of the spending.
- Monthly creditor payments have been made to all known suppliers with payments made weekly.
- 97.80% of our Infringements are outstanding longer than 90 days with 92.2% of these being outstanding longer than 1 year.
- 6% of our Debtors (excluding rates and infringements) are outstanding for longer than 90 days.
- 34.25% of our outstanding rate balance reflects rates outstanding for prior financial years (2021/2022 FY and prior).
- As part of the new Local Government (General) Regulations 2021, information about the age of debts by Council and tax responsibilities are included in this Report, as well as information about Councillors expenses and the CEO certification.

CONSULTATION PROCESS

CEO, Directors, and Departmental Managers

POLICY IMPLICATIONS

NIL

BUDGET AND RESOURCE IMPLICATIONS

The Report and attachment provide comparison of Councils YTD actual performance against the budget.

RISK, LEGAL AND LEGISLATIVE IMPLICATIONS

NIL

ENVIRONMENT SUSTAINABILITY IMPLICATIONS

NIL

COUNCIL OFFICER CONFLICT OF INTEREST

We the Author and Approving Officer declare we do not have a conflict of interest in relation to this matter.

CERTIFICATION BY THE CEO TO THE COUNCIL

I, Ingrid Stonhill, the Chief Executive Officer of Katherine Town Council hereby certify that, to the best of my knowledge, information, and belief:

- The internal controls implemented by the Council are appropriate; and
- The Council's Finance Report best reflects the financial affairs of the Council.

Ingrid Stonhill
CHIEF EXECUTIVE OFFICER

Table 1.1 Monthly Income and Expenditure Statement

INCOME AND EXPENSE STATEMENT FOR THE PERIOD ENDING MARCH 2023	YTD Actuals \$	YTD Budget \$	YTD Variance \$	Annual Budget \$
OPERATING INCOME				
Rates	9,846,157	9,704,076	142,081	9,704,076
Charges	51,968	43,010	8,958	57,346
Fees and Charges	1,374,894	1,615,593	- 240,700	2,154,125
Operating Grants and Subsidies	1,657,089	1,666,125	- 9,036	2,221,500
Interest / Investment Income	379,848	21,000	358,848	28,000
Commercial and Other Income	89,730	63,750	25,980	85,000
TOTAL OPERATING INCOME	13,399,685	13,113,554	286,131	14,250,047
OPERATING EXPENDITURE				
Employee Expenses	3,763,852	4,331,195	- 567,342	5,774,926
Materials and Contracts	4,725,403	5,107,053	- 381,650	6,809,404
Elected Member Allowances	162,407	161,766	641	215,688
Elected Member Expenses	11,683	40,486	- 28,802	53,981
Depreciation, Amortisation and Impairment	2,568,212	2,568,212	-	3,424,283
Interest Expenses	-	-	-	-
Other Expenses	-	-	-	-
TOTAL OPERATING EXPENDITURE	11,231,558	12,208,712	(977,154)	16,278,282
OPERATING SURPLUS / DEFICIT	2,168,128	904,842	1,263,285	(2,028,235)

Table 1.2 Monthly Operating Position

INCOME AND EXPENSE STATEMENT FOR THE PERIOD ENDING MARCH 2023	YTD Actuals \$	YTD Budget \$	YTD Variance \$	Annual Budget \$
BUDGETED OPERATING SURPLUS / DEFICIT	\$ 2,168,128	\$ 904,842	\$ 1,263,285	-\$ 2,028,235
Remove NON-CASH ITEMS				
Less Non-Cash Income	-	-	-	-
Add Back Non-Cash Expenses	2,568,212	2,568,212	-	3,424,283
TOTAL NON-CASH ITEMS	2,568,212	2,568,212	0	3,424,283
Less ADDITIONAL OUTFLOWS				
Capital Expenditure (KTC funded)	428,395	1,046,981	- 618,586	1,395,975
Borrowing Repayments (Principal Only)	-	-	-	-
Transfer to Reserves	-	-	-	-
Other Outflows (Grant Funded Capex)	639,229	-	639,229	-
TOTAL ADDITIONAL OUTFLOWS	(1,067,624)	(1,046,981)	(20,642)	(1,395,975)
Add ADDITIONAL INFLOWS				
Capital Grants Income	1,354,787	-	1,354,787	-
Prior Year Carry Forward Tied Funding	-	-	-	-
Other Inflow of Funds	6,375	-	6,375	-
Transfers from Reserves	-	-	-	-
TOTAL ADDITIONAL INFLOWS	1,361,162	0	1,361,162	0
NET BUDGETED OPERATING SURPLUS / DEFICIT	5,029,879	2,426,073	2,603,805	73

Table 2.1 Capital Expenditure and Funding
By class of infrastructure, property, plant and equipment

CAPITAL EXPENDITURE **	YTD Actuals \$	YTD Budget * \$	YTD Variance \$	Current Financial Year (Annual) Budget * \$
Buildings & Other Structures	614,817	245,906	368,911	327,875
Footpaths & Cycleways	83,000	-	83,000	-
Furniture, Fittings & Equipment	-	129,675	- 129,675	172,900
Improvements	135,007	452,025	- 317,018	602,700
Plant & Equipment	88,925	219,375	- 130,450	292,500
Roads	68,102	-	68,102	-
Street Lighting	77,772	-	77,772	-
			-	
TOTAL CAPITAL EXPENDITURE*	1,067,624	1,046,981	20,642	1,395,975
TOTAL CAPITAL EXPENDITURE FUNDED BY: **				
Katherine Town Council	428,395	1,046,981	- 618,586	1,395,975
Capital Grants	639,229	-	639,229	-
Transfer from Cash Reserve	-	-	-	-
Borrowings	-	-	-	-
Sale of Assets (Including Trade-In)	-	-	-	-
Other Funding	-	-	-	-
TOTAL CAPITAL EXPENDITURE FUNDING	1,067,624	1,046,981	20,642	1,395,975

* Table 2.1 Total Capital Expenditure amounts are to equal Table 1.2 Capital Expenditure

Table 3. Monthly Balance Sheet Report

BALANCE SHEET AS AT MARCH 2023	YTD Actuals \$	Note Reference
ASSETS		
Cash at Bank		(1)
Restricted Funds	14,821,119.91	
Unrestricted Funds	5,290,729.38	
Accounts Receivable		
Trade Debtors	268,885.42	(2)
Rates & Charges Debtors	1,838,018.84	
Other Current Assets	116,353.78	
TOTAL CURRENT ASSETS	22,335,107.33	
Non-Current Financial Assets	9,608,153.58	
Property, Plant and Equipment	89,920,482.33	
TOTAL NON-CURRENT ASSETS	99,528,635.91	
TOTAL ASSETS	121,863,743.24	
LIABILITIES		
Accounts Payable	12,406.45	(3)
ATO & Payroll Liabilities	53,955.00	(4)
Current Provisions	652,070.50	
Accruals		
Other Current Liabilities	375,572.33	
TOTAL CURRENT LIABILITIES	1,094,004.28	
Non-Current Provisions	63,066.04	
Other Non-Current Liabilities	7,186,655.00	
TOTAL NON-CURRENT LIABILITIES	7,249,721.04	
TOTAL LIABILITIES	8,343,725.32	
NET ASSETS	113,520,017.92	
EQUITY		
Asset Revaluation Reserve	75,549,402.03	
Reserves	6,688,161.06	
Accumulated Surplus	31,282,454.83	
TOTAL EQUITY	113,520,017.92	

0.00

Note 1. Details of Cash and Investments Held

CASH AND INVESTMENTS as at 31 MARCH 2023

GENERAL FUND		\$
Commonwealth Bank		
Balance as per bank statement, 31 March 2023		2,304,367
Credit card balances		165
Balance of Imprest and Petty Cash		1,351
Plus net outstanding deposits/(withdrawals)		8,323
Adjusted cash at bank balance, 31 March 2023		2,314,206

INVESTMENTS							
	FINANCIAL INSTITUTION	\$	RATE	DATE	DATE	INSTITUTION	FINANCIAL
AMP (oncall)		1,161,449.06		on call	on call		
AMP		1,000,000.00	4.05%	6-Oct-22	6-Apr-23		
AMP		900,000.00	4.30%	4-Oct-22	4-Apr-23		
AMP		500,000.00	4.70%	31-Mar-23	28-Sep-23	3,561,449	20.01%
NAB		1,500,000.00	4.60%	10-Mar-23	11-Dec-23		
NAB		1,500,000.00	4.65%	10-Mar-23	11-Jan-24		
NAB		3,500,000.00	4.70%	10-Mar-23	12-Feb-24	6,500,000	36.53%
Commonwealth Bank		1,000,000.00	4.26%	24-Jan-23	24-Jul-23		
Commonwealth Bank		500,000.00	4.24%	16-Mar-23	14-Jun-23		
Commonwealth Bank		500,000.00	4.27%	20-Mar-23	19-Jun-23		
Commonwealth Bank		2,400,000.00	4.57%	1-Mar-23	31-Jul-23		
Commonwealth Bank (oncall)		2,400,000.00	4.69%	1-Mar-23	28-Aug-23		
Commonwealth Bank		933,952.94		on call	on call	7,733,953	43.46%
Total Investments						17,795,402	100.00%
Total Funds						20,109,608	

Internally Restricted Funds				\$	
	WMF Make-Good Provision			7,186,655	
	Capital Renewal Reserve			4,987,646	
	Contingency reserve			1,000,000	
	Council Election Reserve			100,000	
	Council motion reserve			600,515	
	Provison for Employees			715,137	
	RESTRICTED FUNDS				14,589,953
Unrestricted funds					5,288,488
Unexpended Capital grants- Restricted Funds					229,817
Imprest and Floats - Restricted Funds					1,351
Total Funds				\$	20,109,608

Note 2. Statement on Debts Owed to Council (Accounts Receivable)

Council can select timing of age of debtor →	1 – 30 Days	31 – 60 Days	>60 Days	TOTAL
Rates Debtors	1,208,532.86	\$	\$ 629,486	\$ 1,838,019
Sundry Debtors	185,049.58	\$ 3,207	\$ 23,763	\$ 268,885
Weighbridge Debtors	50,187.37	\$ 2,506	\$ 4,172	
Infringement - Animal	272.00	\$ -	\$ 7,000	\$ 7,272
Infringement - Parking	-	\$ -	\$ 4,739	\$ 4,739
Infringement - Litter/Camping	-	\$ -	\$ 338.00	\$ 338
TOTAL	1,444,041.81	\$ 5,713	\$ 669,498	\$ 2,119,253

Arrears continue to be followed especially in the area of rates. Infringement notices unpaid from previous month have been forwarded to Fines Recovery Unit (FRU) for follow up. Sundry and Weighbridge debtors continue to be followed up on greater than 60 days.

Note 3. Statement on Debts Owed by Council (Accounts Payable)

Council can select timing of age of creditor →	1 – 30 Days	31 – 60 Days	>60 Days
Trade Creditors	12,406.45	0	0
Other Creditors	\$	\$	\$

KTC processes Accounts Payable weekly. Balance owing will be paid in the next payment run after the end of the month.

Note 4. Statement on Australian Tax Office (ATO) and Payroll Obligations

KTC is due to pay this amount to ATO	53,955
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Note 5. Current Ratio

Current Ratio	25.84
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Table 4. Member and CEO Council Credit Card Transactions for the Month

Where a council credit card has been issued to an Elected Member and/or the CEO, a list per cardholder of all credit card transactions in the month is to be published including the name of the supplier, the amount for each transaction and the reason for the transaction.

Example:

Cardholder Name:

Transaction Date	Amount \$	Supplier's Name	Reason for the Transaction
31-Mar-23	-3,000.00	KTC fund transfer	to top up the credit card
29-Mar-23	59.40	RIVER BLEU PTY LTD KATHERINE NT	Council meeting catering
28-Mar-23	60.40	WOOLWORTHS 5636 KATHERINE AUS	EMIS catering
22-Mar-23	504.35	BOAB CARAVAN PARK KATHERINE NT	Harmony Day lunch catering
15-Mar-23	16.65	MCDONALDS KATHERINE KATHERINE	Staff meeting
14-Mar-23	53.46	WOOLWORTHS 5636 KATHERINE AUS	EMIS catering
7-Mar-23	-135.00	Trybooking Pty Ltd SOUTH YARRA AUS	Refund LGANT conference ticket
7-Mar-23	1,854.62	TRAVELMANAGERS AUSTRAL SYDNEY NSW	Flights for LGANT Sustainable Council Conference 18 & 22 April 23 Mayor& CEO
7-Mar-23	4,768.96	TRAVELMANAGERS AUSTRAL SYDNEY NSW	Flights for NGA Conference 12 & 16 June 23 Mayor& CEO
7-Mar-23	105.00	CHAMBER OF COMMERCE DARWIN	Women in Business tickets 15 March 23
6-Mar-23	1,037.50	TRYBOOKING* LGANT SOUTH YARRA AUS	LGANT Sustainable Councils conference tickets 19 April 2023
2-Mar-23	2,210.25	TRAVELMANAGERS AUSTRAL SYDNEY NSW	CEO SA travel/ accomodation
1-Mar-23	132.00	The Finch Cafe Katherine NT	Council meeting catering
Total	7,667.59		

14.9 MONTHLY REPORT OF CORPORATE SERVICES FOR THE MONTH OF MARCH 2023
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FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023\OMC - AGENDA 2023 - APRIL/178276
AUTHOR : AVTAR SINGH, DIRECTOR OF CORPORATE SERVICES
AUTHORISER : INGRID STONHILL, CHIEF EXECUTIVE OFFICER
ATTACHMENT/S : NIL

OFFICER RECOMMENDATION

1. That Council receive and note the Corporate Services Report for the month of March 2023.

PURPOSE OF REPORT

To present the report for Corporate Services department for the month of March 2023.

STRATEGIC PLAN

Priority One	Strong Leadership	Strong Leadership	Ensure strong internal governance with updated policies and procedures in place
Priority One	Strong Leadership	Strong Leadership	Improve transparency around issues affecting the community
Priority Four	Growth and Sustainability	Lead with Best Practice	Be prudent with our financial management for stronger returns for ratepayers and sustainable long-term finances with current risk management practices current at all times.

BACKGROUND

The monthly report of the Corporate Services departments highlights key developments in the Administration and Financial Services at Katherine Town Council.

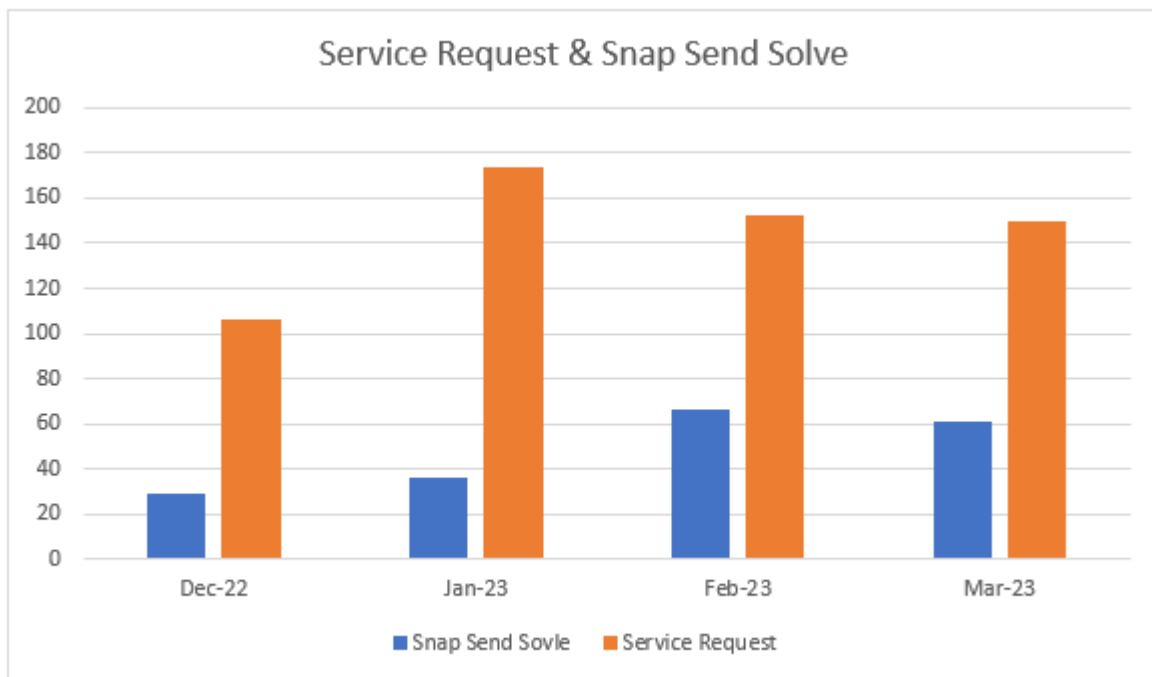
DISCUSSION

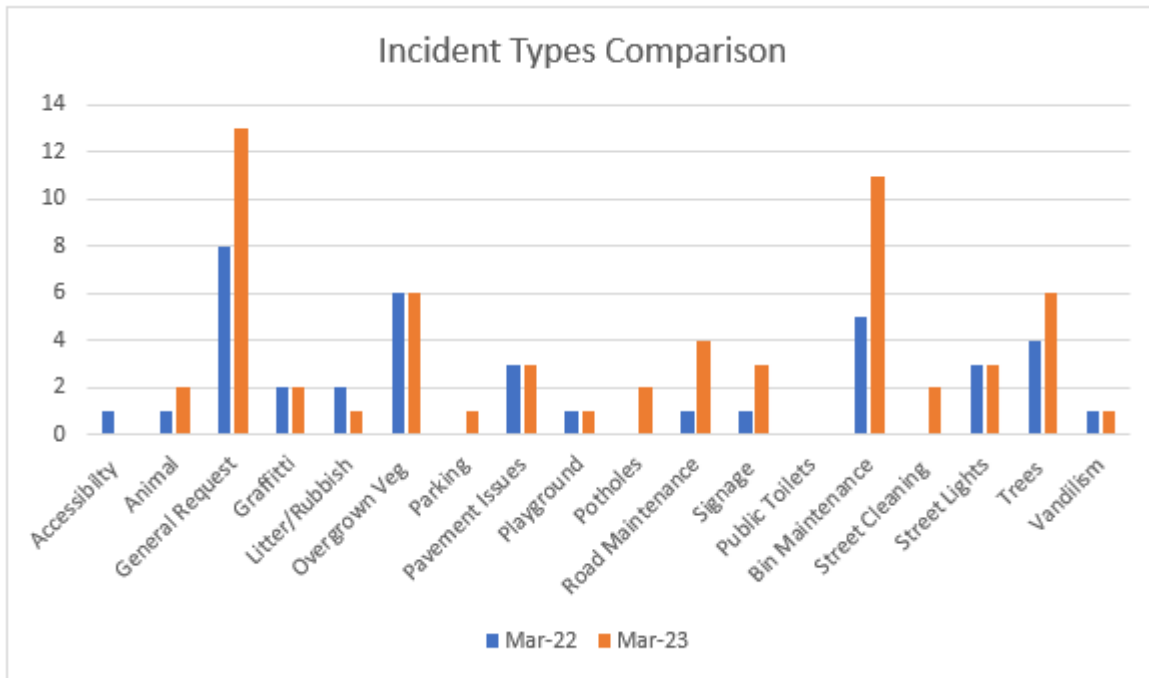
Administration Services

Following are some of the key highlights for March:

Customer Service Requests – In the month of March Council received 211 service requests, 87 service request were completed on time, 76 were completed late and 48 remain outstanding. 61 snap send solves (SSS) were submitted for the month of March. The leading incident types was recorded for bin maintenance, overgrown vegetation, and facility general requests. 29 requests were closed, 27 are pending action, 1 was assigned to schedule works in accordance with the customer service charter and 4 requests were reassigned to other agencies for actioning.

The below graphs show service requests & snap send solve comparison between March 2022 and March 2023:





Financial Services

Finance is working with the departmental managers on the preparation of Draft 2023/2024 Budget, Long-term Financial Plan, and the Municipal Plan.

CONSULTATION PROCESS

Corporate Services Team Members

COUNCIL OFFICER CONFLICT OF INTEREST

We the Author and Approving Officer declare we do not have a conflict of interest in relation to this matter.

Ingrid Stonhill
CHIEF EXECUTIVE OFFICER

14.10 REPORT OF THE COMMUNITY SERVICES DEPARTMENT FOR THE MONTH OF MARCH 2023

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023\OMC - AGENDA 2023 - APRIL/178221

AUTHOR : ROSEMARY JENNINGS, DIRECTOR COMMUNITY SERVICES

AUTHORISER : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

ATTACHMENT/S : NIL

OFFICER RECOMMENDATION

1. That Council receive and note the Community Services Department report for the Month of March 2023.

PURPOSE OF REPORT

To provide an overview of the Community Services Department for the month of March 2023

COMMUNITY PLAN/STRATEGIC PLAN

Priority One	Strong Leadership	Community Engagement	Identify a number of tools to ensure our engagement is broad, inclusive and accessible to our diverse community
Priority One	Strong Leadership	Enhance Customer Experiences	Continually improve services and our tourism offerings
Priority One	Strong Leadership	Enhance Customer Experiences	Enhance customer experiences at our Visitor Information Centre.
Priority Two	Community and Families	Safe Community	Provide safe and accessible public amenities throughout Katherine
Priority Two	Community and Families	Prioritise Recreation	Promote an active community with family events, festivals, live music and sports
Priority Two	Community and Families	Celebrate Diversity	Support diversity by ensuring our communication and engagement is inclusive and accessible to all members of the community
Priority Two	Community and Families	Support our Youth	Empower youths through youth-focused events and school-holiday activities
Priority Three	Sports and Civic Events	Sports and Civic Events	Hold events throughout the year that acknowledge themes that are important to our town and its residents, such as memorial days

Priority Three	Sports and Civic Events	Activation and Revitalisation	Explore expanding our public library to be a community hub that delivers community events and activities.
Priority Four	Growth and Sustainability	Lead with Best Practice	Regularly update our workplace policies and procedures, and Council bylaws
Priority Five	Arts, Culture and Heritage	Support Culture	Include multicultural activities in our event planning
Priority Five	Arts, Culture and Heritage	Our Rich Heritage	Increase participation at cultural facilities and help facilitate events
Priority Seven	Environmental Sustainability	Waste Management	Raise awareness to keep our town litter-free

BACKGROUND

The Community Services department is responsible for the delivery of public library service, visitor services, community events and engagement, and regulatory education and enforcement.

DISCUSSION

LIBRARY SERVICES

March saw the return of Book Warriors. Interest in this youth-based program is strong with 24 attendees for the year's first session. The group will continue to meet at least once per term.

Activity		Totals
Patron Count		1825
Public Computer Use (Hours)		338.5
Conference Room (hours)		48
Circulations		1988
New Memberships		0
Programs	Number of Programs	Attendance
Toddler Rhyme Time	2	44
Storytime	2	39
Wriggle and Rhyme	2	63
Book Warriors	1	24
Dungeons & Dragons	2	9
Miscellaneous	N/A	41

VISITOR SERVICES

Commencing Monday 6th March, the visitor information service returned to full operating days and hours at the Katherine Visitor Information Centre. This has coincided with a steady increase of visitors to town, in anticipation of the Dry Season whether. Council is fortunate to have a number of returning seasonal staff, ensuring a smooth transition into peak season operations.

COMMUNITY EVENTS AND ENGAGEMENT

Events:

8th March – International Women’s Day Morning Tea

The event was initially planned to held at the Civic Centre however due to intense interest was relocated to Godinymayin Yijards Rivers Arts and Culture Centre to double capacity to 130 people. The event again sold out with positive feedback from those who attended, particularly around the engaging panel for the event.

11th March – Come & Try Sports Expo

Extremely popular community event with approximately 800 people attending.

21st March – Citizenship Ceremony and NT Administrator Visit

22nd March – Bombing of Katherine

Partnership event in support of the Katherine Museum

Note: Clean Up Australia Day Event, schedule for 5 March rescheduled to 6th May due to weather concerns.

Engagement:

- Meetings with Red Cross Connected Women Group and GYRACC re: Multicultural Festival
- Meetings – Katherine Food Collective
- Meetings – Youth Week Event planning

REGULATORY SERVICES

Regulatory Animal Summary

Council Rangers received 46 animal related service requests for the month of March, 44 of these requests were resolved and 2 requests require further follow-up to complete.

Katherine community members reported 28 dogs at large. Concurrently the rangers undertook 85 hours of animal patrols for the month.

A total of 2 infringements were issued to dog owners. 15 Notice to Complies (NTC) were issues for unregistered dogs.

For the month of March, a total of 10 dogs were impounded. 7 of these dogs were returned to their owners, and 3 dogs were euthanised, deemed unsuitable for rehoming.

Regulatory Parking Summary

Rangers undertook 50 hours of parking patrols for the month of March. There was a total of 20 abandoned vehicles processed for the month of March. 5 vehicles were impounded, 6 vehicles were moved by the owner, 9 vehicles were disposed of (sale or collection) and a further 29 vehicles were issued with an NTC, instructing the owners to remove their vehicle or Council would engage a contractor to undertake the works.

Regulatory Unkempt Land Summary

Council continues to see an increase in overgrown allotments with Council undertaking 6 overgrown lot inspections resulting in the issuing of 3 unkempt land notices.

CONSULTATION PROCESS

Community Services Team Members

COUNCIL OFFICER CONFLICT OF INTEREST

We the Author and Approving Officer declare we do not have a conflict of interest in relation to this matter.

15 REPORTS FROM REPRESENTATIVES ON COMMITTEES

Nil

16 ELECTED MEMBERS ACTIVITIES

16.1 ELECTED MEMBER ACTIVITIES

FOLDER ID : \COUNCIL MEETING ADMINISTRATION\ORDINARY MEETING OF COUNCIL\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA\ORDINARY MEETING OF COUNCIL (OMC) - AGENDA 2023\OMC - AGENDA 2023 - APRIL/178315

AUTHOR : AMANDA HAIGH, EXECUTIVE AND GOVERNANCE OFFICER

AUTHORISER : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

ATTACHMENT/S : NIL

OFFICER RECOMMENDATION

1. That Council receive and note the Elected Member activities for March 2023.

PURPOSE OF REPORT

To provide an update on the Elected Member activities and engagements since the last Council meeting. The elected member reporting obligation forms part of the Katherine Town Council's Annual Report to the community, outlining councillors contribution to the Town council's service delivery.

STRATEGIC PLAN

Priority One	Strong Leadership	Strong Leadership	Strengthen our councillor profiles to increase community awareness of who they are
Priority One	Strong Leadership	Strong Leadership	Learn what the community wants to know through community engagement strategies.
Priority Two	Community and Families	Prioritise Recreation	Promote an active community with family events, festivals, live music and sports
Priority Three	Sports and Civic Events	Sports and Civic Events	Hold events throughout the year that acknowledge themes that are important to our town and its residents, such as memorial days

Deputy Mayor Denis Coburn

Date	Activity attended
7 March	Special Meeting of Council
11 March	Come and Try Sports Day
16 March	Seniors Event at YMCA

20 March	Elected Members Catch Up
21 March	Citizens Ceremony
22 March	Bombing of Katherine
27 March	EMIS
28 March	Ordinary Meeting of Council

Councillor Madeleine Bower

Date	Activity attended
27 March	EMIS
28 March	Ordinary Meeting of Council

Councillor Amanda Kingdon

Date	Activity attended
7 March	Special Meeting of Council
8 March	International Women's Day KTC Event at GYRAC
11 March	Come n try Sports expo KTC stand
13 March	EMIS & info presentation from The Y on services and programs
16 March	COTA NT Seniors expo
21 March	Meet and Greet the Administrator of NT, Harmony Day & citizenship Awards
22 March	81st Anniversary Bombing of Katherine
27 March	EMIS
28 March	Ordinary Meeting of Council

Councillor Jeremy Trembath requested to be removed from the elected member reporting obligation.

17 LATE AGENDA

Nil

18 GENERAL BUSINESS

19 CLOSURE MEETING TO PUBLIC

20 CONFIDENTIAL ITEMS

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 2008:

20.1 CONFIRMATION OF PREVIOUS CONFIDENTIAL MINUTES

This matter is considered to be confidential under Section 99(2) - b of the Local Government Act, 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 personal circumstances of a resident or ratepayer;.

20.2 ECONOMIC DEVELOPMENT UPDATE

This matter is considered to be confidential under Section 99(2) - ci of the Local Government Act, 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.

20.3 VISITOR INFORMATION SERVICES PARTNERSHIP AGREEMENT 2023-2025

This matter is considered to be confidential under Section 99(2) - a of the Local Government Act, 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.

20.4 BY-ELECTION SERVICE AGREEMENT

This matter is considered to be confidential under Section 99(2) - civ of the Local Government Act, 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 subject to subregulation (3) - prejudice the interest of the council or some other person.

21 RESUMPTION OF OPEN MEETING

22 NEXT ORDINARY MEETING OF COUNCIL

That the next meeting of the Ordinary Meeting of Council will be held on Tuesday 23 May 2023.

23 CLOSURE OF MEETING