



# AGENDA

Ordinary Meeting of Council

Tuesday, 27 June 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.**

## ORDER OF BUSINESS

<b>1</b>	<b>ACKNOWLEDGEMENT OF COUNTRY.....</b>	<b>5</b>
<b>2</b>	<b>OPENING PRAYER.....</b>	<b>5</b>
<b>3</b>	<b>MEETING DECLARED OPEN .....</b>	<b>5</b>
<b>4</b>	<b>ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE.....</b>	<b>5</b>
4.1	Apologies .....	5
4.2	Leave Of Absence .....	5
<b>5</b>	<b>DECLARATION OF INTEREST OF MEMBERS AND STAFF .....</b>	<b>5</b>
<b>6</b>	<b>PRESENTATIONS FROM EXTERNAL AGENCIES.....</b>	<b>5</b>
<b>7</b>	<b>CONFIRMATION OF PREVIOUS MINUTES .....</b>	<b>5</b>
7.1	Minutes of the Ordinary Council Meeting held On 23 May 2023.....	5
7.2	Minutes of the Special Council Meeting held On 6 June 2023 .....	5
<b>8</b>	<b>BUSINESS ARISING FROM PREVIOUS MINUTES .....</b>	<b>19</b>
8.1	ACTION UPDATE.....	19
<b>9</b>	<b>MAYORAL BUSINESS.....</b>	<b>21</b>
9.1	MAYORAL ACTIVITIES .....	21
<b>10</b>	<b>CORRESPONDENCE AND DOCUMENTS TO BE TABLED .....</b>	<b>23</b>
10.1	CORRESPONDENCE AND DOCUMENTS.....	23
<b>11</b>	<b>PETITIONS .....</b>	<b>26</b>
<b>12</b>	<b>PUBLIC QUESTION TIME (MATTERS REFERRED TO THE AGENDA).....</b>	<b>26</b>
<b>13</b>	<b>NOTICE OF MOTION .....</b>	<b>26</b>
	Nil	
<b>14</b>	<b>REPORTS OF OFFICERS.....</b>	<b>27</b>
14.1	CHIEF EXECUTIVE OFFICER REPORT .....	27
14.2	POLICY - CEO CODE OF CONDUCT .....	29
14.3	MOBILE FOOD VAN POLICY.....	35
14.4	ELECTED MEMBER POLICIES REVIEWED .....	48
14.5	Katherine Town Council Community Grant Guidelines .....	77
14.6	MONTHLY REPORT OF CORPORATE SERVICES FOR THE MONTH OF MAY 2023 ....	88
14.7	FINANCE REPORT FOR THE MONTH OF MAY 2023.....	91
14.8	REPORT OF THE COMMUNITY SERVICES DEPARTMENT FOR THE MONTH OF MAY 2023 .....	102
14.9	INFRASTRUCTURE AND ENVIRONMENT REPORT FOR THE MONTH OF MAY 2023.....	106

<b>15</b>	<b>REPORTS FROM REPRESENTATIVES ON COMMITTEES .....</b>	<b>110</b>
	Nil	
<b>16</b>	<b>ELECTED MEMBERS ACTIVITIES .....</b>	<b>111</b>
	16.1 ELECTED MEMBER ACTIVITIES.....	111
<b>17</b>	<b>LATE AGENDA.....</b>	<b>113</b>
	Nil	
<b>18</b>	<b>GENERAL BUSINESS .....</b>	<b>113</b>
<b>19</b>	<b>CLOSURE MEETING TO PUBLIC .....</b>	<b>113</b>
<b>20</b>	<b>CONFIDENTIAL ITEMS .....</b>	<b>114</b>
<b>21</b>	<b>RESUMPTION OF OPEN MEETING .....</b>	<b>115</b>
<b>22</b>	<b>NEXT ORDINARY MEETING OF COUNCIL.....</b>	<b>115</b>
<b>23</b>	<b>CLOSURE OF MEETING .....</b>	<b>115</b>



## **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**

<b>4.1 APOLOGIES</b>
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<b>4.2 LEAVE OF ABSENCE</b>
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## **5 DECLARATION OF INTEREST OF MEMBERS AND STAFF**

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](http://www.katherine.nt.gov.au) or obtained by emailing [records@ktc.nt.gov.au](mailto: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 23 May 2023

7.2 Minutes of the Special Council Meeting held On 6 June 2023



# **MINUTES**

## **Ordinary Meeting of Council**

**Tuesday, 23 May 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 12.00pm

## 4 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

### ELECTED MEMBERS

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

### OFFICERS

- Mr Brendan Pearce – A/Chief Executive Officer and Director Infrastructure and Environment
- Ms Rosemary Jennings – Director Community Services
- Mr Avtar Singh – Director of Corporate Services
- Amanda Haigh – Governance and Executive Officer (minute taker)
- Staff - 2

### PUBLIC

6

### 4.1 APOLOGIES

The Mayor acknowledged Ingrid Stonhill, CEO as an appology.

### 4.2 LEAVE OF ABSENCE

Nil

## 5 DECLARATION OF INTEREST OF MEMBERS

NIL

## 6 PRESENTATIONS FROM EXTERNAL AGENCIES

NIL

## 7 CONFIRMATION OF PREVIOUS MINUTES

### 7.1 Minutes of the Ordinary Council Meeting held On 26 April 2023

#### **COUNCIL RESOLUTION**

**OCM-049-2023**

**Moved:** Councillor Trembath

**Seconded:** Councillor Kingdon

That the minutes of Ordinary Meeting of Council on 26 April 2023 be confirmed as true and accurate.

**CARRIED 5/0**

Amendment to minutes – Fay Miller state funeral will be held on 26 May 2023 and include in general business National Sorry/ Healing Day will be held on 26 May 2023.

Request for update on Night Owl program taken on notice.

Centenary of Katherine 2026 Advisory Committee membership being finalised and first meeting scheduling in July 2023.

## 8 BUSINESS ARISING FROM PREVIOUS MINUTES

### **8.1 ACTION UPDATE**

#### **OFFICER RECOMMENDATION**

1. That Council receive and note the update for business arising from previous Council meetings as at 12 May 2023.

Item not discussed

## 9 MAYORAL BUSINESS

### **9.1 MAYORAL ACTIVITIES**

#### **COUNCIL RESOLUTION**

**OCM-050-2023**

**Moved:** Councillor Kingdon

**Seconded:** Deputy Mayor Coburn

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

**CARRIED 5/0**

Update on old Foodladder site – council has not made a decision on the future of the site, the site visit identified the concrete under the shed is dangerous and the toilets have white ants

through them. Council will engage an expert to assess the site structures before making any decision.

## 10 CORRESPONDENCE AND DOCUMENTS TO BE TABLED

### 10.1 CORRESPONDENCE AND DOCUMENTS

#### COUNCIL RESOLUTION

OCM-051-2023

**Moved:** Deputy Mayor Coburn

**Seconded:** Councillor Kingdon

1. That Council receive and note the Correspondence and Documents:
  - (a) Letter – Member for Arnhem – Thankyou – 3 May 2023

**CARRIED 5/0**

Cr Bower affirmed her involvement at the event as a community member.

## 11 PETITIONS

NIL

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

NIL

## 13 NOTICE OF MOTION

Nil

## 14 REPORTS OF OFFICERS

### 14.1 WHISTLEBLOWER POLICY

#### COUNCIL RESOLUTION

OCM-052-2023

**Moved:** Councillor Bower

**Seconded:** Deputy Mayor Coburn

1. That Council approves the Whistleblower Policy Version 1.

**CARRIED 5/0**

The policy is a new policy required under the *ICAC Act 2017*. Elements of councils approach to protect and support staff in reporting improper conduct are covered in various other council corporate policies for staff.

**14.2 SALE AND DISPOSAL OF LAND POLICY****COUNCIL RESOLUTION****OCM-053-2023****Moved:** Deputy Mayor Coburn**Seconded:** Councillor Trembath

1. That Council approves the Sale and Disposal of Land Policy – V2.

**CARRIED 5/0**

The policy relates to land owned by council and is required under the *Local Government Act 2019*.

**14.3 POLICY - GIFTS AND BENEFITS CEO AND STAFF****COUNCIL RESOLUTION****OCM-054-2023****Moved:** Councillor Kingdon**Seconded:** Deputy Mayor Coburn

1. That Council approve the Gift and Benefits – CEO and Staff Policy Version 1.

**CARRIED 5/0****14.4 GAZETTE NOTICE - KATHERINE TOWN COUNCIL AMENDMENT BY-LAWS 2023****COUNCIL RESOLUTION****OCM-055-2023****Moved:** Councillor Bower**Seconded:** Deputy Mayor Coburn

1. That Council receive and note the Government Gazette No. S27 dated 27 April 2023 for the *Katherine Town Council Amendment By-laws 2023* by the Minister for Local Government.

**CARRIED 5/0****14.5 FINANCE REPORT FOR THE MONTH OF APRIL 2023****COUNCIL RESOLUTION****OCM-056-2023****Moved:** Councillor Kingdon**Seconded:** Deputy Mayor Coburn

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

**CARRIED 5/0**

**14.6 MONTHLY REPORT OF CORPORATE SERVICES FOR THE MONTH OF APRIL 2023****COUNCIL RESOLUTION****OCM-057-2023****Moved:** Deputy Mayor Coburn**Seconded:** Councillor Trembath

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

**CARRIED 5/0**

Incident type - animal mostly relates to dogs, and accessibility relates to a request for open pathway at hot springs for pram access.

Reminder that Waste wheelie bins are the property of council and owners are responsible to keep them in good condition.

**14.7 REPORT OF THE COMMUNITY SERVICES DEPARTMENT FOR THE MONTH OF APRIL 2023****COUNCIL RESOLUTION****OCM-058-2023****Moved:** Deputy Mayor Coburn**Seconded:** Councillor Bower

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

**CARRIED 5/0**

Patron count increase relates to number of programs and full capacity.

**14.8 INFRASTRUCTURE AND ENVIRONMENT REPORT FOR THE MONTH OF APRIL 2023****COUNCIL RESOLUTION****OCM-059-2023****Moved:** Deputy Mayor Coburn**Seconded:** Councillor Bower

That the Operations report of the Infrastructure and Environment Department for the month of April 2023 be received and noted.

**CARRIED 5/0**

Noted the sports pavilion is finally open.

Thanks to Lendlease for commitment to install drinking fountains. Locations align with power and water connections.

Excitement for the kerbside recycling trial. Inside bin lids will be instructions on what products can be recycled. Council logo requested to be included on the bins. The bins are part of the trial, which may mean after the trial they are removed and used at different locations.

## 15 REPORTS FROM REPRESENTATIVES ON COMMITTEES

### 15.1 SPORTS GROUND ADVISORY COMMITTEE MEETING MINUTES

#### COUNCIL RESOLUTION

OCM-060-2023

**Moved:** Deputy Mayor Coburn

**Seconded:** Councillor Trembath

1. That Council receive and note the minutes from the Sports Ground Advisory Committee held on 8 February 2023.
2. That Council receive and note the minutes from the Sports Ground Advisory Committee held on 18 April 2023.

**CARRIED 5/0**

Acknowledge that council has received funding for fence replacement along Stuart highway. Other projects include completing fencing between oval 1 and 2, landscaping around amenities and lighting on oval 2.

### 15.2 KATHERINE SHOW GROUNDS AND MULTI-PURPOSE ADVISORY COMMITTEE MEETING MINUTES

#### COUNCIL RESOLUTION

OCM-061-2023

**Moved:** Deputy Mayor Coburn

**Seconded:** Councillor Kingdon

1. That Council receive and note the minutes from the Katherine Showgrounds and Multi-purpose Advisory Committee held on 8 March 2023.
2. That Council receive and note the minutes, and consider the recommendations from the Katherine Showgrounds and Multi-purpose Advisory Committee held on 2 May 2023.

**CARRIED 5/0**

Amendments to 2 May 2023 minutes requested – date change from 6 December to 2 May, replace Mayor with Chair under Welcome and remove minute taker under attendance against Amanda Kingdon.

## 16 ELECTED MEMBERS ACTIVITIES

### 16.1 ELECTED MEMBER ACTIVITIES



**COUNCIL RESOLUTION****OCM-062-2023****Moved:** Deputy Mayor Coburn**Seconded:** Councillor Bower

1. That Council receive and note the Elected Member activities for April 2023.

**CARRIED 5/0****17 LATE AGENDA**

Nil

**18 GENERAL BUSINESS**

Cr Bower raised seating including shade/ covered areas required in the main street and taxi ranks to make more inviting.

National Healing Day will be held at Katherine Museum on Friday 26 May 2023 at 10.30am showcasing stories and organisation services.

Cr Coburn expressed concern for seating in main street. He will be attending the GTNT awards ceremony on Friday evening.

Cr Trembath pointed out that removing trucks from main street would make it safer.

Cr Kingdon expressed that the noise of trucks is a health concern for those living on highway, raising the need for a truck diversion. The need for seating at taxi ranks is a must.

Smith Family is holding an event for Reconciliation Day at 9.30 am on Thursday.

Food Van Collective next on 1 June.

Army Band will be playing at the Town Square on Saturday 7 to 9 pm.

Laneway closures will commence in 3 weeks time, due to the delay of materials the project has taken time to commence.

**19 CLOSURE MEETING TO PUBLIC**

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

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

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

**20 CONFIDENTIAL ITEMS**

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**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) - a, ci and civ of the *Local Government Act 2019*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual, 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 subject to subregulation (3) - prejudice the interest of the council or some other person.

## **20.2 CONFIDENTIAL ACTION UPDATE**

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

## **20.3 PREVIOUS MINUTES OF THE AUDIT AND RISK MANAGEMENT COMMITTEE**

This matter is considered to be confidential under Section 99(2) - 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 that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff.

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*.

The meeting was closed at 12.56pm.

## **21 RESUMPTION OF OPEN MEETING**

Open meeting was resumed at 1.05pm.

That Council move the following confidential motion to open minutes:

### **20.3 VISITOR INFORMATION SERVICES PARTNERSHIP AGREEMENT 2023-2025**

#### **COUNCIL RESOLUTION OCM-046-2023**

**Moved:** Deputy Mayor Coburn

**Seconded:** Councillor Bower

1. That Council:

(a) Approve the Visitor Information Centre Partnership Agreement with Department of Industry, Tourism and Trade for a period of two (2) years – 1 July 2023 to 30 June 2025

- (b) Authorise the Mayor and Chief Executive Officer to Affix the Common Seal

CARRIED 5/0

## **22 NEXT ORDINARY MEETING OF COUNCIL**

That the next meeting of the Ordinary Meeting of Council will be held on 27 June 2023.

## **23 CLOSURE OF MEETING**

The meeting was closed at 1.06pm.

Unconfirmed



# **MINUTES**

## **Special Meeting of Council**

**Tuesday, 6 June 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 declare the meeting opened at 12.01pm.

## 4 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

### 4.1 ATTENDANCE

#### ELECTED MEMBERS

- Mayor Elisabeth Clark (Chair)
- Deputy Mayor Denis Coburn Councillor
- Maddy Bower (via video conference)
- 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 (via video conference)
- Amanda Haigh – Governance and Executive Officer
- Casey Anderson – Administration Manager
- Sheralea Clemow – Rates and Records Officer

#### PUBLIC

NIL

### 4.2 APOLOGIES

NIL

### 4.3 LEAVE OF ABSENCE

Nil

## 5 DECLARATION OF INTEREST OF MEMBERS

The Mayor reminded members of obligation to declare conflicts of interest.

NIL declared.

## 6 CONFIDENTIAL ITEMS

### 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*:

#### 6.1 DRAFT MUNICIPAL PLAN 2023-2024

This matter is considered to be confidential under Section 99(2) - civ of the *Local Government Act 2019*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to subject to subregulation (3) - prejudice the interest of the council or some other person.

Confidential resolution moved to open minutes

<b>6.1 DRAFT MUNICIPAL PLAN 2023-2024</b>
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### COUNCIL RESOLUTION

**SCM-044-2023**

**Moved:** Councillor Trembath

**Seconded:** Councillor Bower

1. That Council approve the Draft Municipal Plan 2023/2024; including budget, long term financial plan, rates and fees and charges; for public consultation from 7 June to 27 June 2023.
2. That Council move the resolution and attachments to the open minutes.

**CARRIED 5/0**

## 7 CLOSURE OF MEETING

The meeting closed at 12.59pm.

## 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 - JUNE/179547

**AUTHOR** : AMANDA HAIGH, EXECUTIVE AND GOVERNANCE OFFICER

**AUTHORISER** : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

**ATTACHMENT/S** : 1. ACTION REPORT - 19 JUNE 2023.DOCX [↓](#) 

#### OFFICER RECOMMENDATION

1. That Council receive and note the update for business arising from previous Council meetings as at 19 June 2023.

#### PURPOSE

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

**ACTIONS REPORT**

Printed: 19 June 2023 3:25 PM

Division:  
Committee: Council  
Officer:

Date From:  
Date To:

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
<b>Notes</b> <b>12 May 2023 8:21am Haigh, Amanda</b> Interim acquittal and variation request submitted. Awaiting written confirmation of variation approval from the department.				

Meeting	Date	Officer	Title	Target
Council 26/04/2023	26/04/2023	Jennings, Rosemary	VISITOR INFORMATION SERVICES PARTNERSHIP AGREEMENT 2023-2025	10/05/2023
<b>Notes</b> <b>12 May 2023 9:04am Jennings, Rosemary</b> Negotiations completed. Awaiting final agreement for signing.				

Meeting	Date	Officer	Title	Target
Council 23/05/2023	23/05/2023	Pearce, Brendan	Sports Ground Advisory Committee Meeting Minutes	6/06/2023
<b>Notes</b> <b>24 May 2023 4:24pm Haigh, Amanda</b> Upload minutes on website				

Meeting	Date	Officer	Title	Target
Council 23/05/2023	23/05/2023	Pearce, Brendan	Katherine Show Grounds and Multi-purpose Advisory Committee Meeting Minutes	6/06/2023
<b>Notes</b> <b>24 May 2023 4:23pm Haigh, Amanda</b> Amendments to 2 May 2023 minutes requested – date change from 6 December to 2 May, replace Mayor with Chair under Welcome and remove minute taker under attendance against Amanda Kingdon. Upload minutes on website				



## 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 - JUNE/179518

**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 May 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 Six	Big Rivers Inter-Government Collaboration	Inter-Government Collaboration and Advocacy	Advocate for the interests of our community

<b>Mayor Elisabeth Clark</b>	
<b>Date</b>	<b>Activity attended</b>
<b>May</b>	Up until 12 <sup>th</sup> May I was on Leave.
<b>15<sup>th</sup> May</b>	Plan discussed for Fay Millars Memorial
<b>16<sup>th</sup> May</b>	Meeting with Katherine Families Executive.
<b>17<sup>th</sup> May</b>	LGANT Meeting
<b>19<sup>th</sup> May</b>	Department of Defence
<b>19<sup>th</sup> May</b>	Meeting with Wild Rivers Representatives.
<b>22<sup>nd</sup> May</b>	Elected Member Information Session
<b>23<sup>rd</sup> May</b>	Ordinary Meeting of Council
<b>23<sup>rd</sup> May</b>	Meeting with Department of the Chief Minister and Cabinet Representative
<b>23<sup>rd</sup> May</b>	Meeting with Local Member
<b>24<sup>th</sup> May</b>	Radio with Katie Woolf
<b>24<sup>th</sup> May</b>	LGANT SP4 Local Government role in Circular Economy
<b>25<sup>th</sup> May</b>	Meeting with PFAS Representatives
<b>26<sup>th</sup> May</b>	State Funeral Fay Millar
<b>27<sup>th</sup> May</b>	Army Band at Town Square
<b>30<sup>th</sup> May</b>	Clyde Fenton School Visit
<b>30<sup>th</sup> May</b>	Meeting with Acting Commissioner of Police
<b>31<sup>st</sup> May</b>	NTG Budget – Godinymayin Centre.



## 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 - JUNE/179581

**AUTHOR** : AMANDA HAIGH, EXECUTIVE AND GOVERNANCE OFFICER

**AUTHORISER** : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

**ATTACHMENT/S** : 1. LETTER - JO HERSEY - ADVOCACY FOR KATHERINES INFRASTRUCTURE NEEDS - 19 JUNE 2023.PDF [↓](#)   
2. LETTER - SELINA UIBO - ADVOCAY FOR KATHERINES INFRASTRUCTURE NEEDS - 21 JUNE 2023.PDF [↓](#) 

#### OFFICER RECOMMENDATION

1. That Council receive and note the Outgoing Correspondence:
  - (a) Letter – Member for Katherine – Advocacy for Katherine’s infrastructure needs – 19 June 2023
  - (b) Letter – Member for Arnhem – Advocacy for Katherine’s infrastructure needs – 19 June 2023

#### PURPOSE OF REPORT

To provide the Official Correspondence and Documents.

#### INCOMING

#	Type	Date	From	Title	MagiQ Id
1					

#### OUTGOING

#	Type	Date	To	Title	MagiQ Id
1	Letter	19 June 2023	Member for Katherine	Advocacy for Katherine’s Infrastructure Needs	179567
2	Letter	19 June 2023	Member for Katherine	Advocacy for Katherine’s Infrastructure Needs	179610



24 Stuart Highway  
PO Box 1071  
Katherine NT 0851  
records@ktn.gov.au  
Ph: 08 8972 5500  
Fax: 08 8971 0305  
ABN 4783 6889 865

19 June 2023

Jo Hersey MLA  
Member for Katherine

Via email: [electorate.katherine@nt.gov.au](mailto:electorate.katherine@nt.gov.au)

Dear Ms Hersey,

**RE: Advocacy for Katherine's infrastructure needs**

I write to you with regard to the upcoming 2024 Northern Territory Government election.

The delivery of the recent 2023-2024 Northern Territory Government Budget and the lack of new funding commitments for Katherine was utterly disappointing. While the budget declared a 'record \$4.07 billion capital works program' across the Territory, this largely reflects the continuation of several major projects from 2022-23, as well as projects brought forward from previous announcements, totaling \$1.3 billion. This was the case for many of the infrastructure budget commitments announced for Katherine.

As you're likely aware, Katherine Town Council (Council) has recently released the draft 2023-24 Municipal Plan for public feedback. The draft plan includes several proposed economic projects that Council is best placed to facilitate in local government and necessary for the future growth of Katherine. These projects draw on evidence gained through public engagement and consultation previously conducted, including through the Katherine 2027 Five Year Strategic Plan, the development of the Big Rivers Regional Economic Growth Plan, the Big Rivers Liveability Project, the NT Infrastructure Plan and Pipeline 2022 and the Australian Government National Biosecurity Strategy.

The approval of the 2023-24 Municipal Plan will provide Council an opportunity to commence its funding advocacy campaign in light of the upcoming election year. Additionally, Katherine Town Council, Roper Gulf Regional Council and Victoria Daly Regional Council, along with the Department of the Chief Minister and Cabinet and the Big Rivers Regional Economic Growth Committee, will be collaborating in a joint advocacy effort to provide the region with a strengthened voice to identify critical infrastructure needs, both social and economic, to ensure we don't miss out yet again.

We can not continue to sit by and watch resourcing channel to large scale urban projects in Darwin and Alice Springs.

As the Member for Katherine, Council would be interested to learn what you have done to date to advocate for new infrastructure for Katherine and what these projects may be.

Kind regards,



Ingrid Stonhill  
Chief Executive Officer



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21 June 2023

Selena Uibo MLA  
Member for Arnhem  
Via email: [electorate.arnhem@nt.gov.au](mailto:electorate.arnhem@nt.gov.au)

Dear Ms Uibo,

**RE: Advocacy for Katherine's infrastructure needs**

I write to you with regard to the recent delivery of the 2023-24 Northern Territory Budget (the Budget).

The seemingly lack of new funding commitments for Katherine was disappointing. While the budget declared a 'record \$4.07 billion capital works program' across the Territory, this largely reflects the continuation of several major projects from 2022-23, as well as projects brought forward from previous announcements, totaling \$1.3 billion.

I understand you are the Member for Arnhem, not Katherine. But as an MLA in the Big Rivers Region and as a resident of Katherine, I was hoping you may be able to help Council understand what new investment was announced for Katherine and how our infrastructure priorities, identified through the request of the Northern Territory Government during the development of the Big Rivers Regional Economic Growth Plan, can, or will ever, be considered in new budget commitments for Katherine?

It seems Katherine remains subject, year in, year out, to budget commitments brought forward from previous years – some remaining in the pipeline for at least a decade now and over several election cycles. Our population growth rate has remained concerningly flat for over a decade now. We aren't attracting new populations, job creation is cyclical or largely dependent on RAAF Base Tindal redevelopment works and our social infrastructure is not keeping pace with evolving community expectations. As we compete with over 500 other Local Government Areas throughout Australia for population migration, investment continually brought forward from one year to next just won't cut it.

The findings of the Big Rivers Liveability Project speaks volumes about the state of our health, education and social amenity.

We can not continue to sit by and watch funding be continually channeled into social infrastructure in Darwin and Alice Springs.

Council has also written to the Member for Katherine, requesting insight into the advocacy work undertaken since her appointment for new infrastructure needs in Katherine.

We also welcome your advice in this regard.

Kind regards,



Ingrid Stonhill  
Chief Executive Officer

**11 PETITIONS****12 PUBLIC QUESTION TIME (MATTERS REFERRED TO THE AGENDA)****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\OMC - AGENDA 2023 - JUNE/179548

**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 May/June 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

Council directors and staff have worked extremely hard to put together this year's 23/24 Municipal Plan. Sitting within the strategic plan goals and priorities, is a forward-thinking document addressing significant capital works projects, compliance works and statutory requirements. As a council we have made adjustments to ensure we hold the rates as identified in the long-term financial plan, despite growing inflation and cpi. We are looking forward to public feedback and securing the way forward for the next financial year.

Of particular note for mention is a complaint made to the BAS NT regarding the council civic building. This building has been found to not meet current building codes in some areas and has a leaky roof. Council is required to rectify these issues and will have to spend some of its reserves to address this.

It will also have to look for additional options for funding the project, as building costs continue to rise. It is also important to be focusing on 'netzero' and other emerging technology.

Council currently has 6 grant projects underway relating to safety works across town, one tourism grant and three major grants having been submitted for future projects.

The CBD buggy rapid response vehicle has been received and is currently operating well. The Night Owl program is on hold, as discussions continue regarding rolling this out as a volunteer program or sourcing funding to continue.

There have been several commonwealth and state ministers and senior public servants visiting the council over the last month. Many on route to attending the Barunga Festival, which I also attended. On each meeting the Mayor and myself have managed to advocate strongly for Katherine and council issues. Of note is heightened discussion on the referendum for the Voice.

Katherine continues to experience similar issues to that of other regional councils, difficulty in attracting quality, experienced and trained staff. There are significant shortages being faced across the local government sector of Australia. We continue to plan and develop strategies and be adaptive, to assist our organisation moving forward.

The Mayor and I attended an extremely successful ALGA conference in Canberra. We were afforded the opportunity to meet with advisors from the Deputy Prime Minister's office, Minister Richard Marles, meet with Assistant Minister for Defence the Hon Matt Thistlethwaite, and Member of Parliament Marion Scrymgour. We attended the first Australian Council of Local Government meetings and welcome reception, hosted by Australian Prime Minister Anthony Albanese. Our primary advocacy was the upgrade to the Katherine Civil Airport, followed by the secondary bridge for crossing the Katherine River.

The Katherine by-election is progressing, with confirmation from the NTEC that a by-election will be taking place. Candidates will be confirmed on Thursday 22<sup>nd</sup> June. The by-election is a significant cost to council and an increased workload on council staff. I wish to acknowledge Amanda Haigh for her organisation of this by-election to date.

During the month of July, I will be attending a Local Government Managers Australia, Executive Management program.

I wish to thank the three directors of council who stood in as Acting CEO for a week each during my scheduled annual leave. The council was in good hands, and each gained a professional development opportunity.

In the last week of this month I will be presenting at the 12<sup>th</sup> National Women in Local Government Leadership Summit, in my capacity as CEO, KTC.

I am pleased to announce that during the ALGA conference the winners and honourable mentions (2<sup>nd</sup> place) of the 37<sup>th</sup> Australian Local Government 2023 Awards were announced. Katherine Town Council, and I, received an Honourable Mention for the Women in Local Government Award. This is the first time Katherine Town Council has been recognised in these awards. I wish to thank all those who took the time to vote for us. It was also pleasing to note that Darwin City Council and McDonnell Regional Council also took out a joint Honourable Mention in the Waste Management Award. Three councils from the Northern Territory were recognised.

#### **COUNCIL OFFICER CONFLICT OF INTEREST**

NIL




## 14.2 POLICY - CEO CODE OF CONDUCT

**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 - JUNE/178805

**AUTHOR** : AMANDA HAIGH, EXECUTIVE AND GOVERNANCE OFFICER

**AUTHORISER** : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

**ATTACHMENT/S** : 1. POLICY - CEO CODE OF CONDUCT- V2 - DRAFT VERSION  
2.DOCX 

### OFFICER RECOMMENDATION

1. That Council approve the Policy – CEO Code of Conduct – Version 2.

### PURPOSE OF REPORT

To seek Council approval of the updated Code of Conduct for the CEO.

### 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 Code of Conduct for the CEO was identified for updating.

### DISCUSSION

The updated Code of Conduct for the CEO has not been substantially changed from the existing Code.

Two changes have been made:

- The Code is on the new policy template, and
- It now references governance policies relevant to the role of the CEO.

### POLICY IMPLICATIONS

The policy will replace version 1.

### BUDGET AND RESOURCE IMPLICATIONS

NIL

**RISK, LEGAL AND LEGISLATIVE IMPLICATIONS**

The policy is required as per Section 175(1) of the *Local Government Act 2019*.

**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.



## COUNCIL POLICY

### Draft Version 2

## CODE OF CONDUCT FOR CEO

Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director, Corporate Services		
Approval Date:		Next Review:	1 June 2026
Records Number:	178767	Council/CEO Decision:	Council
Legislation Reference:	Section 175(1) of the <i>Local Government Act 2019</i>		

### 1 PURPOSE

Katherine Town Council seeks a constructive workplace culture where business is conducted safely, with integrity, honesty and fairness, a high standard of customer service and a culture that is focused on efficiency, adaptability, resilience, and enthusiasm aligned with Council's Strategic and Municipal Plan, and relevant laws, regulations by-laws, and organisation standards.

Everyone working for Council must follow the highest standards of ethical behaviour when dealing with customers and each other. Council's CEO has a special responsibility to encourage ethical conduct as part of a culture where this is recognised, valued and followed at all levels.

This Code of Conduct is a public declaration of the principles of good conduct and standards of behaviour that the Council's stakeholders could reasonably expect the Chief Executive Office to demonstrate in the performance of their duties and functions.

### 2 SCOPE

This policy applies to the Chief Executive Officer (CEO) of the Katherine Town Council.

### 3 DEFINITIONS

**CEO** means the Chief Executive Officer of Katherine Town Council appointed under Section 165 of the *Local Government Act 2019*.

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

**Discrimination** means the unjust or prejudicial treatment of different categories of people, especially on the grounds of race, age, gender, sexual orientation, or disability.

**Employee** means a person remunerated by Katherine Town Council on a full time, part time, casual or contract basis.

## 4 DETAILS

In order to maintain public confidence in the integrity of the Council, the CEO of the Council must exhibit the highest ethical standards in the administration of the affairs of the Council.

This Code of Conduct for the CEO sets out the behaviours expected of the CEO in the performance of their role.

### SUPPORT FOR COUNCIL

The CEO must:

- provide full support to Council
- provide accurate, frank, and impartial advice to Council
- implement council policies and decisions
- be familiar with and comply with the requirements of the *Local Government Act 2019* and other legislative, industrial, or administrative requirements relevant to the CEO's official responsibilities
- take all reasonable steps to ensure that the information upon which the CEO's decisions or actions are based is factually correct and relevant to the decisions or actions, and
- comply with the council employees code of conduct.

### MANAGEMENT OF COUNCIL STAFF

In relation to the management of council staff, the CEO must ensure that:

- appropriate documented processes and procedures are in place
- selection processes for appointment or promotion are fair, equitable and based on merit
- staff have reasonable access to training and development and opportunities for advancement and promotion
- staff are treated fairly and consistently and are not subject to arbitrary or capricious decisions
- there are suitable processes for dealing with employment-related grievances, and
- working conditions are safe and healthy.

### USE OF INFORMATION

The CEO must not misuse information gained in the CEO's official capacity. Misuse includes, but is not limited to:

- seeking to gain personal advantage for self, or for another person, based on information held on official records
- initiating or spreading gossip or rumours based on personal or other information held on official records, and
- providing a person, or appearing to provide a person, with favourable treatment or privileged access to information.

The CEO must take care to maintain the integrity and security of Council documents and information.

### USE OF OFFICIAL FACILITIES, EQUIPMENT AND RESOURCES

The CEO must not utilise council facilities or equipment, or the skills or working time of council employees, for personal benefit.

### DISCLOSURE OF OFFENCES AGAINST THE LAW

If the CEO is charged, convicted or acquitted of any offence, the CEO must advise the Council even if the offence does not relate directly to the CEO's assigned duties.

## CODE OF CONDUCT FOR CEO

## OUTSIDE EMPLOYMENT

The CEO must obtain written permission from the Council before engaging in outside employment.

When considering an application from the CEO to undertake outside employment, Council will give approval only if satisfied the outside employment:

- could not be perceived by a reasonable person to be a conflict of interest, and
- will not interfere with the performance of the CEO's duties.

Any outside employment or voluntary work must be performed wholly in the CEO's private time.

## DECISIONS BASED ON EXERCISE OF STATUTORY POWER

Where the CEO makes any decision based on a statutory power, the CEO must

- ensure that the legislation under which the decision is made authorises the making of that decision
- ensure that the CEO has the authority or the delegation to make the decision
- ensure that any procedures which are required by law to be complied with in the making of a decision have been observed, and
- ensure that the decision, the evidence upon which it is based, and the reasons for the decision are properly documented.

## ANTI-DISCRIMINATION

The CEO must not discriminate in relation to a person unless such discrimination is allowed by law and council policy (for example, positive discrimination or special measures).

## 5 ASSOCIATED POLICIES/DOCUMENTS

Code of Conduct for Employees  
Fraud and Corruption Control policy  
Gifts and Benefits policy  
Conflict of Interest policy  
Privacy policy  
Confidential Information policy  
Customer Service Charter  
Credit card policy for elected members and CEO

## 6 REFERENCES AND RELATED LEGISLATION

*Local Government Act 2019*  
*Information Act 2002*  
*Work Health and Safety (National Uniform Legislation) Act 2011*

### Revision History





Version	Approval date	Details of change	Responsible officer
1	16/12/2003	Created	CEO
6	June 2022	Updated on new policy template	Director, Corporate Services

### 14.3 MOBILE FOOD VAN 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 - JUNE/179537

**AUTHOR** : AMANDA HAIGH, EXECUTIVE AND GOVERNANCE OFFICER

**AUTHORISER** : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

**ATTACHMENT/S** : 1. MOBILE FOOD VAN POLICY\_V3 - JUNE 2023.DOCX    
2. MOBILE FOOD VAN APPLICATION FORM\_JUNE 2023.DOCX  

#### OFFICER RECOMMENDATION

1. That Council approves the Mobile Food Van Policy Version 3.

#### PURPOSE OF REPORT

To seek Council approval of the Mobile Food Van Policy Version 3.

#### 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

Katherine Town Council is committed to supporting and enhancing local business and in creating vibrant and active spaces for the community. Katherine's climate, open spaces and outdoor culture is an ideal setting for the development of mobile food vendor experiences and activities.

Council supports the growth of the local business community and therefore looks to identify local businesses first for participation in operating mobile food vans.

Operators can apply to Council for a proposed mobile food van operation at various locations in Katherine. Council will undertake consultation with the community and potentially affected businesses before making a decision about issuing a permit.

#### BACKGROUND

As part of recent reviews of Council's governance policies, the Mobile Food Van Policy was identified for review.

Mobile food vans can add to the vitality of the municipality through the creation of a broad range of food options, particularly where permanent food outlets are not available in the immediate area. Mobile food vans can attract visitors to an area and activate the use of public spaces.

The purpose of this policy is to provide to provide a framework for the operation of mobile food vans in Katherine municipality.

## **DISCUSSION**

Operators can apply to Council for a proposed mobile food van operation at various locations in Katherine. The policy outlines requirements relating to compliance with the *Food Act 2004* and the *Work Health and Safety (National Uniform Legislation) Act 2011*.

The policy also outlines requirements relating to:

- Eligibility for a permit
- Locations and site allocation
- Operating days and times
- Consultation by Council before approving a permit
- Site amenity and advertising/signage, and
- Waste management, cleaning and maintenance of the site.

Katherine is subject to strict alcohol management conditions imposed through the *Liquor Act 2019*. The consumption and possession of alcohol in public places is prohibited, and consumption and possession in other places is restricted. Permits will not be issued for mobile food vans selling alcohol or cigarettes.

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

- It provides greater clarification of the obligations for operators and removes some inconsistencies contained in the previous policy and application form
- Consistency with the Fees and Charges Schedule
- The policy is accompanied by a new Mobile Food Van Application Form
- Updates references to relevant legislation including the *Liquor Act 2019* and the amended Katherine Town Council By-Laws 1998.

If approved, the new policy and application form will apply to new applications. Existing mobile food van operators that have been issued will not be affected by the revised policy until the current permit expires.

## **CONSULTATION PROCESS**

Executive management team have provided input to the revised policy.

Council undertakes a two week consultation period for each permit application.



**POLICY IMPLICATIONS**

The policy will replace version 2.

**BUDGET AND RESOURCE IMPLICATIONS**

NIL

**RISK, LEGAL AND LEGISLATIVE IMPLICATIONS**

The policy outlines requirements relating to compliance with the *Food Act 2004* and the *Work Health and Safety (National Uniform Legislation) Act 2011*.

**ENVIRONMENT SUSTAINABILITY IMPLICATIONS**

Operators applying for a permit must provide their waste management approach such as a detailed plan regarding liquid waste and garbage disposal, use of environmental packaging and utensils, plans for disposal and recycling.

**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.



## COUNCIL POLICY

Draft v3

### MOBILE FOOD VAN POLICY

Type:	Council Policy		
Owner:	Chief Executive Officer		
Responsible Officer:	Director, Corporate Services		
Approval Date:	XXXXX	Next Review:	March 2027
Records Number:	179535	Council/CEO Decision:	XXXXX
Legislation Reference:	Division 8 of the Katherine Town Council By-Laws 1998		

#### 1 PURPOSE

Katherine Town Council is committed to supporting and enhancing local business and in creating vibrant and active spaces for the community.

Council recognises that mobile food vans can add to the vitality of the municipality through the creation of a broad range of food options, particularly where permanent food outlets are not available in the immediate area. Mobile food vans can attract visitors to an area and activate the use of public spaces.

The purpose of this policy is to provide a framework for the operation of mobile food vans in Katherine municipality.

#### 2 SCOPE

This policy applies to operators intending to operate a mobile food van within the Katherine municipality.

#### 3 DEFINITIONS

**Food business** means a business, enterprise or activity as defined by section 8 of the *Food Act 2004*.

**Mobile food van** means a food business predominantly operating from a van/truck or purpose-built trailer.

**Operator** means a mobile food van business operating under a mobile food van permit issued by Katherine Town Council.

## 4 DETAILS

Katherine's climate, open spaces and outdoor culture is an ideal setting for the development of mobile food vendor experiences and activities. Council is committed to the wellbeing of the Katherine community – economically, socially, and environmentally – and seeks to support activities that create a vibrant community without impacting surrounding residents, businesses or public property.

Council supports the growth of the local business community and therefore looks to identify local businesses first for participation in operating mobile food vans.

All operators must demonstrate that all food handling activities will be compliant with the *Food Act 2004*, the Australia New Zealand Food Standards Code and the "Mobile and temporary food premises guidelines" issued by NT Health. Operators will be required to display their current Food Business Registration.

The proposed business must comply with requirements of the *Work Health and Safety (National Uniform Legislation) Act 2011*. Operators are responsible for the work health and safety of their staff and customers.

The proposed mobile food van operation must not compromise public safety, cause obstruction, or impede the flow and use of the area by pedestrians, road users, emergency response personnel, Council maintenance crews or authorised officers, customers and staff of surrounding businesses, occupants of and visitors to surrounding residential properties, and other public space activities.

Council reserves the right not to issue a permit where it is determined that the granting of a permit may result in the oversupply of mobile food vendor operations within a given area and or at a given time.

### SALE OF ALCOHOL AND CIGARETTES

Katherine is subject to strict alcohol management conditions imposed through the *Liquor Act 2019*. The consumption and possession of alcohol in public places is prohibited, and consumption and possession in other places is restricted.

Permits will not be issued for mobile food vans selling alcohol or cigarettes.

### MOBILE FOOD VAN PERMIT

Upon application, Council may issue a permit for Mobile Food Vendor operations, subject to consideration of the eligibility assessment criteria outlined in this Policy.

The application form for Mobile Food Vendor operations can be found on the Katherine Town Council website.

#### Permit Eligibility

To be eligible for a permit, operators need to meet the basic standards required for the operation of a business of this nature including:

- Australian Business Registration Number (ABN)
- Food Business Registration with NT Health under the *Food Act 2004*
- Current NT vehicle/trailer registration (or evidence of exemption), and
- Public Liability Insurance (not less than \$10,000,000 in respect of any single occurrence).

Evidence of all the above items must be submitted with the permit application.

Applicants must also include a detailed site plan of the proposed location of operation, the type of mobile food van (including a photograph), detailed plans or diagrams of proposed advertising, power and water requirements, cleaning and maintenance, proposed generator use (if required), waste management approach and preferred operating days and times.

### Duration of Permit

Permits will be issued for a minimum of one month and maximum of 12 months. Permit fees apply upon application, as outlined in the Katherine Town Council Fees and Charges document, updated annually. If the permit is not approved, the permit fee will be refunded.

Permits can be renewed upon application if the operator intends to maintain their operation. Renewals will be based on the same criteria as the initial permit.

### Approval of Permit

All permits will be assessed by authorised Katherine Town Council employees and a recommendation will be made to the Chief Executive Officer. The Chief Executive Officer will make all decisions related to mobile food van permits.

### LOCATIONS AND SITE ALLOCATION

Locations where Mobile Food Vendor operations will be permitted are listed below.

- Lindsay Street Complex Carpark
- Showgrounds Carpark (off Victoria Highway)
- Information Bay (North Bound), Stuart Highway
- Information Bay (South Bound), Stuart Highway
- Information Bay (West Bound), Victoria Highway
- Railway Terrace Carpark
- Ryan Park Carpark
- Lockheed Park
- Adventure Play Park

Information Bays are managed by Katherine Town Council on behalf of the Department of Infrastructure, Planning and Logistics.

Council may change and/or amend these locations from time to time, without notice. Where the proposed location is adjacent to existing food businesses, the existing operator will be consulted by Council.

Each location may support more than one operator, subject to the hours of operation. Preservation of neighbourhood amenity will be a priority consideration for mobile food van activities in residential areas. Additional sites may be allocated on a case-by-case basis.

Where a site is unoccupied, allocation is on a “first come-first served basis”.

Where a site is occupied and additional applications have been received for the same site, allocation will be conducted by a selection panel process with the final decision to be made by the Chief Executive Officer. The selection panel will be comprised of officers from Katherine Town Council and all applications will be assessed for diversity, innovation, quality, sustainability and value to the community.

### OPERATING DAYS AND TIMES

The proposed days and times of operation must be conducive to enhancement of the area through the provision of food and or non-alcoholic beverage services. The proposed days and times of operation must not compromise:

- the safety of public space users
- other street and public space activities and uses
- neighbourhood amenity
- acceptable noise levels, and
- access to surrounding sites and premises.

Operations will be limited to a maximum of five (5) days in any seven (7) day period and a maximum of six (6) hours per day of operation at various/ allocated approved sites.

Special events running for longer hours or over multiple days may seek exemption from the above of hours of operation, when the operator is engaged as part of the event.

### CONSULTATION PROCESS

As part of considering an application for a mobile food van permit, a two week consultation period to allow the community, residents and other businesses to provide feedback about the proposed operation.

Council will undertake an initial consideration of the application to ensure all relevant information and evidence has been provided. Operators will be advised if their application will be advanced to the consultation stage or requested to provide additional information as required.

Consultation will occur over a two-week period and Council will include advertising on Council's website and social media pages. It may include material provided during the application process, including any proposed signage or advertising collateral. Council will consider all comments received during the consultation period and may reject the application if adverse feedback is received.

Council will provide written advice to applicants about the outcome of consultation, but it will not provide details that would cause either personal or commercial prejudice or confer unfair commercial advantage or disadvantage to any person or business.

### AMENITY

Residential amenity must not be unreasonably compromised by the mobile food van operation including patron behaviour, noise, odour, lighting and disposal of litter. The proposed operation must:

- ensure that pedestrian and traffic flow is not compromised and access to construction, disabled parking, on-street parking, taxi, bus and loading zones is not obstructed
- ensure clear access to public space facilities such as bike paths, drinking fountains, BBQs, toilets, park and street furniture, rubbish bins, public telephones and post boxes
- not operate on a footpath less than 3.2 metres wide or within 1.8 metres of a building front and within 600mm from the kerb line, and
- not modify, cover, remove, or relocate trees and shrubs and other public property (such as park furniture, public art, signs, and bins).

### ONSITE ADVERTISING AND SIGNAGE

Permit holders will be allowed one (1) moveable sandwich board or A-frame (two faces joined at the top by hinges) no larger than 1m<sup>2</sup> or one (1) flat single or double-sided board, in a free-standing frame, no larger than 1m<sup>2</sup>. Signage can only be displayed during hours of operation. Signage must be constructed of a durable material and be maintained in good condition.

Signage must not:

- contain offensive or discriminatory language or messaging
- resemble regulatory, traffic or warning signs
- obscure a vehicle driver's view or hinder pedestrian usage of a path or walkway, or
- be illuminated.

The permit application is to include detailed plans or diagrams of proposed advertising for assessment of suitability.

### CLEANING, MAINTENANCE AND WASTE MANAGEMENT

The operator is responsible for cleaning and maintaining their mobile food van operation and surrounding location and provide for the suitable disposal of all litter and waste associated with the operation. The trading area is to be left in a clean and tidy condition at the end of each trading interval.

Applications must include a waste management procedure providing details of liquid waste and garbage disposal arrangements. Waste generated by food preparation activities is not to be disposed of in Katherine Town Council waste receptacles or stormwater drains.

All operations must be fully self-contained, providing their own resources for power and water.

### CANCELLATION OF THE PERMIT

The operator can request to cancel their permit with 30 days written notice to Council. A pro-rata refund may be provided on cancellation.

Council authorised officers are responsible for monitoring the operations of mobile food vans granted a permit. If Council receives any complaints about the operation, Council authorised officers will discuss the issue with the operator to resolve the issue. If the issue cannot be resolved, or the operator has significantly breached any of the requirements of this policy, the Chief Executive Officer may cancel the permit.

Any operators found to be selling alcohol, cigarettes or committing a criminal or *Food Safety Act 2004* offence whilst operating under the mobile food van permit will have their permit immediately cancelled.

In other circumstances, Council can cancel the permit at any time with 30 days written notice.

## 5 ASSOCIATED POLICIES/DOCUMENTS

Privacy policy

## 6 REFERENCES AND RELATED LEGISLATION

*Local Government Act 2019*

Katherine Town Council By-Laws 1998

*Food Act 2004*

Food Regulations 2014

*Work Health and Safety (National Uniform Legislation) Act 2011.*

Australia New Zealand Food Standards Code – Chapters 1, 2, 3 and 4

Mobile and temporary food premises guidelines – NT Health

### Revision History

Version	Approval date	Details of change	Responsible officer
1	28/04/2020	Created	CEO
2	25/06/2021	Revised	CEO
3	19/06/2023	Revised for new legislation and on new template	CEO



# Mobile Food Van Permit Application Form

*Please complete this form if you intend operate a mobile food van business in a public location within the Katherine municipality. Please note that supporting evidence is required for some sections. Please refer to Council's Mobile Food Van Policy for further information.*

SECTION 1: APPLICANT DETAILS	
NAME	
PHONE	EMAIL
POSTAL ADDRESS	

SECTION 2: MOBILE FOOD VAN DETAILS	
Organisation/business name	
ABN	
Provide the business website address and/or social media accounts (if applicable)	
Date of Food Business Registration (please provide copy of registration)	
NT vehicle/trailer registration details (please provide evidence of registration or exemption)	
Type of mobile set up: Truck/Van, Trailer, or Cart	
Mobile food van details including power and water resources (please attach a photograph)	
Proposed advertising (please attach detailed plans or diagrams of advertising)	
Waste management approach (please attach detailed plan regarding liquid waste and garbage disposal, use of environmental packaging and utensils, plans for disposal and recycling)	
Please outline what food/beverages will be sold	



<b>SECTION 3: INSURANCE DETAILS</b>	
<b>Insurance company name</b>	
<b>Policy number</b> <i>(please provide a copy of the certificate of currency)</i>	
<b>Level of insurance</b>	
<b>Expiry date</b>	
<b>Name of policy holder</b>	

<b>SECTION 4: PROPOSED LOCATION AND OPERATING DAYS/TIMES</b>		
<p><b>Please tick appropriate box.</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Lindsay Street Complex Carpark</li> <li><input type="checkbox"/> Showgrounds Carpark (off Victoria Highway)</li> <li><input type="checkbox"/> Information Bay (North Bound), Stuart Highway</li> <li><input type="checkbox"/> Information Bay (South Bound), Stuart Highway</li> <li><input type="checkbox"/> Information Bay (West Bound), Victoria Highway</li> <li><input type="checkbox"/> Railway Terrace Carpark</li> <li><input type="checkbox"/> Ryan Park Carpark</li> <li><input type="checkbox"/> Lockheed Park</li> <li><input type="checkbox"/> Adventure Play Park</li> </ul>		
<b>DAY</b>	<b>Opening time</b>	<b>Closing time</b>
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

<b>SECTION 5: APPLICANT'S DECLARATION</b>
<p>I have read and fully understood the Katherine Town Council Mobile Food Van policy (the Policy).</p> <p>I declare that I will abide by the requirements of the Policy in relation to the operation of a mobile food van.</p>

I understand that if I breach the policy, the permit may be cancelled.

**SIGNATURE** \_\_\_\_\_

**DATE** \_\_\_\_\_

CONSULTATION PERIOD (including dates of consultation and feedback received; if adjacent to existing food businesses, please provide evidence of consultation)

## SECTION 5: RECOMMENDATION AND CEO DECISION

### Recommendation by Council officer

☐ Approved ☐ Approve with conditions (see below) ☐ Reject (reasons outlined below)

NAME \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

### CHIEF EXECUTIVE OFFICER

☐ Approved ☐ Approved with conditions (see below) ☐ Rejected (reasons outlined below)

### Conditions of approval / Reason for rejection

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAME

SIGNATURE

DATE

### Office use only

Permit number:	Date Issued:
Expiry date:	Officer name:















## 14.4 ELECTED MEMBER POLICIES REVIEWED

**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 - JUNE/179558

**AUTHOR** : AMANDA HAIGH, EXECUTIVE AND GOVERNANCE OFFICER

**AUTHORISER** : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

**ATTACHMENT/S** :

1. POLICY - FILLING CASUAL VACANCIES - V2 - JUNE 2023.DOCX  
2. POLICY - ATTENDANCE MEETING VIA AUDIO AND AUDIO VISUAL CONFERENCING SYSTEM - V2 - JUNE 2023.DOCX  
3. POLICY - GIFTS AND BENEFITS RECEIVED BY COUNCIL MEMBERS - V2 - JUNE 2023.DOCX  
4. POLICY - OTHER REASONABLE EXPENSES AND NON-MONETARY BENEFITS RECEIVED BY COUNCIL MEMBERS - V2.DOCX  
5. POLICY - REASONABLE EXPENSES FOR TRAVEL AND ACCOMMODATION BY ELECTED MEMBERS - V2.DOCX  
6. POLICY - CARETAKER POLICY - V2.DOCX  
7. POLICY - BREACH OF CODE OF CONDUCT - V2.DOCX  

### OFFICER RECOMMENDATION

1. That Council approve the following reviewed Policies:
  - (a) Filling Casual Vacancies Policy – version 2;
  - (b) Attendance at Meetings via Audio or Audiovisual Conferencing System Policy - version 2;
  - (c) Gifts and Benefits Received by Council Members Policy - version 2;
  - (d) Other Reasonable Expenses and Non-Monetary Benefits Received by Council Members Policy - version 2;
  - (e) Reasonable Expenses for Travel and Accommodation by Council Members Policy - version 2;
  - (f) Caretaker Policy - version 2; and
  - (g) Breach of Code of Conduct Policy - version 2.

### PURPOSE OF REPORT

To provide council with reviewed Council Elected Member policies for approval.

## **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**

Council policies were created and amended due to changes with the new *Local Government Act 2019* (the Act) on 2020/2021. These policies are now up for review.

## **DISCUSSION**

### **FILLING CASUAL VACANCIES POLICY**

This policy is required under the Act. It outlines how casual vacancies for the position of an ordinary member and an elected Mayor may be filled when a member's seat becomes vacant. The policy amendments include minor administrative changes and new policy template.

### **ATTENDANCE AT MEETINGS VIA AUDIO OR AUDIOVISUAL CONFERENCING SYSTEM POLICY**

This policy is required under the Act. It authorises a member's attendance at a meeting by an audio or audio-visual conferencing system and describes the duties and obligations of a member who attends by audio or audio-visual means. The policy amendments include minor administrative changes, new policy template and under item 4.1 addition of 'and the reason(s) for not being physically present at the meeting'.

### **GIFTS AND BENEFITS RECEIVED BY COUNCIL MEMBERS POLICY**

This policy is required under the Act. It is to set out the requirements for council members receiving gifts or benefits and disclosing relevant gifts or benefits. The policy amendments include minor administrative changes and new policy template.

### **OTHER REASONABLE EXPENSES AND NON-MONETARY BENEFITS RECEIVED BY COUNCIL MEMBERS POLICY**

This policy is required under the Act. It is to set out council member entitlements with being provided with other reasonable expenses (not including travel and accommodation) and non-monetary benefits incurred or required as a result of undertaking official duties. The policy amendments include minor administrative changes and new policy template.

### **REASONABLE EXPENSES FOR TRAVEL AND ACCOMMODATION BY COUNCIL MEMBERS POLICY**

This policy is required under the Act. It is to set out council member entitlements for payment or reimbursement of reasonable expenses for travel and accommodation necessary for attending council meetings and to the business of Council in accordance with a prior resolution. The policy amendments include minor administrative changes and new policy template.

**CARETAKER POLICY**

This policy is required under the Act. It sets out how council members and staff are to conduct their activities and actions during the local government general elections caretaker period in accordance with section 161(1) of the *Local Government Act 2019*. The policy amendments include minor administrative changes and new policy template.

**BREACH OF CODE OF CONDUCT POLICY**

This policy is required under the Act. It sets out how the Council will manage a complaint that a council member has contravened the Code of Conduct. The policy amendments include minor administrative changes, new policy template and inclusion of flowchart.

**POLICY IMPLICATIONS**

The reviewed policies will replace version 1 of the current policies.

**RISK, LEGAL AND LEGISLATIVE IMPLICATIONS**

The policies are reviewed in accordance with the *Local Government Act 2019*.

**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.



## COUNCIL POLICY

### FILLING CASUAL VACANCIES POLICY

Type:	Council – Elected Members		
Owner:	Chief Executive Officer		
Responsible Officer:	Governance and Executive Officer		
Approval Date:		Next Review:	27/10/2025
Records Number:	179556	Council/CEO Decision:	Council
Legislation Reference:	Sections 54 and 65(3) of the <i>Local Government Act 2019</i>		

#### 1 PURPOSE

This policy outlines how casual vacancies for the position of an ordinary member and an elected Mayor may be filled in accordance with sections 54 and 65(3) of the *Local Government Act 2019* (the Act).

#### 2 SCOPE

This policy applies to Mayor and elected members with Katherine Town Council.

#### 3 DEFINITIONS

**Appointment** means the appointment of a qualified individual, by majority vote of Council, to fill a vacancy on Council.

**By-election** means an election, other than a regular election, held to fill a vacancy on Council and that is conducted in accordance with the Act.

**Council** means Katherine Town Council

**Casual vacancy** means a vacancy in the office of a member of the council under Section 50 of the *Local Government Act 2019*.

**Mayor** means the Principal Member of Katherine Town Council.

**Member** means a member of the council.

**Ordinary member or Councillor** means an Elected Member of Katherine Town Council.

**Vacancy** means when a seat on council becomes vacant in a manner prescribed by Chapter 4 of the *Local Government Act 2019*.

## 4 DETAILS

### Casual vacancies – ordinary member

Council will fill casual vacancies in the office of an ordinary member as follows:

Date vacancy occurs	Action	Section of the Act
18 months or more before the next general election.	Council will hold a by-election to fill the vacancy	54(2)(c)
Less than 18 months, but not less than 4 months, before the next general election.	Council will appoint <u>a person</u> to fill the vacancy until the next general election (in accordance with clause 3 of this policy).	54(2)(a)
4 months or less before the next general election.	Council will leave the office of the ordinary member vacant.	54(2)(b)(i)

### Filling the office of an ordinary member

As soon as practicable after the casual vacancy occurs in the office of an ordinary member, the CEO will advertise the vacancy for appointment by publishing in a local newspaper and on the council's website.

The advertisement will:

- (a) invite applications from electors who are:
  - (i) eligible under section 46 of the Act; and
  - (ii) enrolled in the relevant ward; and
- (b) invite applicants to provide a statement of no more than 1 page that outlines why the person wants to be a council member and the qualities they would contribute to the council; and
- (c) advise that the statement of the applicant may be made public by the council.

The closing date for applications will be 14 days from the date the advertisement is published in the local newspaper and on the council's website.

As soon as practicable after the closing date, the CEO will provide copies of all applicant statements to all council members. At the next ordinary meeting of council following the closing date, the matter is to be included as an agenda item for Council's consideration.

When appointing a person to be a council member, Council will give due consideration to:

- (a) the person's level of community involvement;
- (b) the person's suitability for the role; and
- (c) any other relevant matters.

Council will decide the appointment by resolution, with official commencement to the office of ordinary member to take place 7 days after the date of the resolution.

Unless the council decides unanimously to take a vote by secret ballot, voting is to be by show of hands.

The CEO is to ensure the successful applicant is advised of their appointment to Council and that an induction to the position is undertaken as soon as practicable.

### Casual vacancies – Mayor



As election was the basis for filling the office of the Mayor, Council will fill casual vacancies in the office of the Mayor as follows:

Date vacancy occurs	Action	Section of the Act
18 months or more before the next general election.	Council will hold a by-election to fill the vacancy in the office of the <i>Mayor</i> .	65(3)(a)
Less than 18 months, before the next general election.	Council will appoint <u>an existing council member</u> to be the <i>Mayor</i> , by vote of existing members (in accordance with clause 5 of this policy).	65(3)(b)(i)

### Appointing a Mayor

The matter of appointing a person to fill a casual vacancy in the office of the *Mayor* is to be on the agenda at the next ordinary council meeting after the vacancy occurs.

Unless the council decides unanimously to take a vote by secret ballot, voting is to be by show of hands. At the ordinary meeting of council, Council will, by vote of existing members, resolve to:

- (a) appoint an existing member to fill the vacancy in the office of the *Mayor* until the next general election;  
and
- (b) for the appointment to commence immediately.

The vacancy in the office of the ordinary member (appointed to Mayor) will be filled in accordance with clause 3 of this policy.

### Summary of Casual vacancies actions

Time to next general election	Mayor	Ordinary Member
	<i>Council will always fill a casual vacancy of the office of Mayor by:</i>	<i>Council will only not fill a casual vacancy of an ordinary member when there is 4 months or less before the next general election</i>
18 months or more before the next general election	Council will hold a by-election to fill the vacancy.	Council will hold a by-election to fill the vacancy.
Less than 18 months, but not less than 4 months, before the next general election.	Council will appoint <u>an existing council member</u> to be the <i>Mayor</i> , by vote of existing members (in accordance with clause 5 of this policy).	Council will appoint <u>a person</u> to fill the vacancy of the ordinary member until the next general election (in accordance with clause 3 of this policy).
4 months or less before the next general election.		Council will leave the office of the ordinary member vacant.

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**5 ASSOCIATED POLICIES/DOCUMENTS**

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**6 REFERENCES AND RELATED LEGISLATION**

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*Local Government Act 2019*

Revision History

Version	Approval date	Details of change	Responsible officer
1	30/10/2020	Created and Adopted	Policy Review Committee
2	19/06/2023	Reviewed – changed to new template, minor administrative amendments	Governance and Executive Officer
3			



## COUNCIL POLICY

### ATTENDANCE AT MEETINGS VIA AUDIO OR AUDIOVISUAL CONFERENCING SYSTEM POLICY

Type:	Council – Elected Members		
Owner:	Chief Executive Officer		
Responsible Officer:	Governance and Executive Officer		
Approval Date:		Next Review:	30/11/2025
Records Number:	179562	Council/CEO Decision:	Council
Legislation Reference:	Sections 95(3)(a) and 98(3)(a) of the <i>Local Government Act 2019</i>		

#### 1 PURPOSE

This policy authorises a member's attendance at a meeting by an audio or audiovisual conferencing system and describes the duties and obligations of a member who attends by audio or audiovisual means, in accordance with sections 95(3)(a) and 98(3)(a) of the *Local Government Act 2019*.

#### 2 SCOPE

This policy applies to elected members, committee members and Council employees with Katherine Town Council.

#### 3 DEFINITIONS

**CEO** means Chief Executive Officer

**Meeting** includes any meeting of Council, Audit and Risk Management Committee or Council Advisory Committee.

**Members** means a member of council, Audit and Risk Management committee or council committee.

#### 4 DETAILS

Where possible, Council is committed to facilitate access and participation in meetings by permitting members to be present and participate remotely by means of audio or audiovisual conferencing systems.

##### 4.1 Attendance

A member may attend any meeting via an audio or audiovisual conferencing system.

It is desirable, but not mandatory, that members give at least 1 days' notice to the CEO that they intend to attend the meeting via the conferencing system and the reason(s) for not being physically present at the meeting.

##### 4.2 CEO responsibilities

The CEO must ensure the provision of the necessary equipment, and setup of that equipment, to provide an adequate conferencing system that enables remote attendance of members.

The CEO must ensure that the audio or audiovisual conferencing system is switched on and tested for the meeting and the relevant members have the correct information to enable their attendance (e.g. phone number, video link or other login details to enable a member to attend remotely).

#### 4.3 General responsibilities

The Chair of a meeting must ensure that any member attending a meeting remotely is offered the same or substantially the same opportunity to participate in debate, and to register an opinion, on questions arising for decision, as if the member were physically present at the meeting.

All members in attendance are to abide by the Code of Conduct and, if attending via audiovisual conferencing, are to consider the appropriateness of their personal presentation and surrounding environment to the extent that they would if the member were attending the meeting in person.

The Chair is to confirm which participants are present at the commencement of the meeting.

The minutes of a meeting must identify whether each member attended in person or by audio or audiovisual means.

A member who is attending by audio or audiovisual means must advise the Chair if they are about to leave the meeting. A member must also advise the Chair immediately if they re-join the meeting. These details are to be recorded in the minutes with a reference to the member's time of departure and time of return (if applicable).

If technical issues arise that prevent a member from being heard or to hear during the meeting, the chair can declare that the member has left the meeting. If the chair experiences technical issues and has left the meeting, then council/committee must by resolution appoint a member as the presiding member being the Deputy Mayor/Deputy Chair in the first instance or another member if the deputy is unable to preside.

#### 4.4 Conflicts of interests

It is the responsibility of individual members attending a meeting remotely to ensure they do not participate in an agenda item, or hear the discussion, if they have declared a conflict of interest in the matter.

The member must ensure they declare the conflict and disconnect from the conferencing system at the appropriate time (i.e. prior to discussion of the particular agenda item).

Where a member has disconnected from the conferencing system due to a conflict of interest, the Chair must contact the member as soon as the agenda item has concluded and request that they re-join the meeting.

#### 4.5 Confidentiality

Members attending meetings remotely must:

- (a) ensure that people who are not members cannot see, overhear or listen to the member or the meeting (unless the Council is aware and accepts the circumstances);
- (b) not record the meeting unless all members in attendance at the meeting agree to the member recording the meeting; and
- (c) ensure that confidential papers are not accessible by any person who is not a member.

Note: People who are not members are able to attend meetings in a manner allowed by the Council.

#### 4.6 Voting

All members present at a meeting must exercise their vote on a question arising for decision. Before each agenda item and resolution, to ensure the participation of any members attending remotely, the Chair is to confirm that members attending remotely are able to hear the discussion and vote. Unless the council decides unanimously to

take a vote by secret ballot, voting is to be by show of hands. In the case of secret ballots, the member will provide their vote to the CEO in confidence, who will then place it into the ballot box.

## 5 ASSOCIATED POLICIES/DOCUMENTS

Elected Members Conflicts of Interest Policy

Elected Members Code of Conduct

## 6 REFERENCES AND RELATED LEGISLATION

*Local Government Act 2019*

Revision History

Version	Approval date	Details of change	Responsible officer
1	24/11/2020	Created and adopted	Policy Review Committee
2	20/06/2023	Reviewed – changed to new template, minor administrative amendments and under item 4.1 addition of ‘and the reason(s) for not being physically present at the meeting’	Governance and Executive Officer
3			



## COUNCIL POLICY

### GIFTS AND BENEFITS RECEIVED BY COUNCIL MEMBERS POLICY

Type:	Council – Elected Members		
Owner:	Chief Executive Officer		
Responsible Officer:	Governance and Executive Officer		
Approval Date:		Next Review:	1/11/2025
Records Number:	179564	Council/CEO Decision:	Council
Legislation Reference:	Section 112 of the <i>Local Government Act 2019</i>		

#### 1 PURPOSE

The purpose of this policy is to set out the requirements for council members receiving gifts or benefits and disclosing relevant gifts or benefits.

#### 2 SCOPE

This policy applies to elected members with Katherine Town Council.

#### 3 DEFINITIONS

**Campaign donation return** see section 148 of the *Local Government Act 2019*.

**Nominal value** means a single gift or benefit less than \$50 in value (or multiple gifts or benefits totalling less than \$100 in value, given by the same donor in a financial year).

**Protocol gift** means a gift or benefit given to a council member for diplomatic, ceremonial or symbolic purposes that will not be sold or transferred (unless in diplomatic, ceremonial or symbolic circumstances).

**Register of declared gifts and benefits** see section 113 of the *Local Government Act 2019*.

#### 4 DETAILS

##### 4.1 Principals

A council member must discharge the council member's duties, responsibilities and obligations impartially and with integrity including in relation to receiving, accepting and disclosing gifts or benefits.

A council member must not accept a gift or benefit of any value that may be perceived by a reasonable person to improperly influence the performance or decisions of the council member or the Council.

*Note: Council members must also adhere to clauses 9.1 and 9.2 of the Code of Conduct relating to gifts (see Schedule 1 of the Local Government Act 2019).*

#### 4.2 Relevant gifts or benefits

A relevant gift or benefit is a gift or benefit (or multiple gifts or benefits) received and accepted by a council member that exceed the nominal value and includes:

- (a) gift or benefit received for the Council and accepted by a council member; or
- (b) gift or benefit received and accepted by a council member for the council member or another person.

#### 4.3 Rejecting gifts or benefits

If a council member has received any gift or benefit that breaches the principles at clause 4.1 above, the council member must reject the gift or benefit by returning it to the donor and respectfully explaining to the donor that acceptance of the gift or benefit would breach this policy.

#### 4.4 Disclosure of relevant gifts or benefits

If a council member has received a relevant gift or benefit, the council member must inform the CEO as soon as practicable after receipt and provide the following information in writing:

- (a) name of the council member that received the relevant gift or benefit;
- (b) name of the donor (person or organisation) giving the gift or benefit;
- (c) date the gift or benefit was received;
- (d) description of the gift or benefit;
- (e) whether the gift or benefit is for the Council, the council member or another person (including the full name and relationship of the person to the council member, if applicable);
- (f) value (or estimated value) of the gift or benefit;
- (g) reason for the gift or benefit;
- (h) any other relevant details.

The CEO will record the details in the **register of declared gifts and benefits**.

#### 4.5 Exemptions from disclosure

The following gifts or benefits are exempted from disclosure under this policy:

- (i) a gift or benefit given to the council member by the Council;
- (j) a protocol gift given to a council member for the Council;
- (k) a gift or benefit given to the Council in relation to its status as a body corporate where no individual council member or council members are considered to have accepted the gift or benefit;
- (l) food, accommodation, hospitality or entertainment included in the attendance of meetings, conferences, training courses, functions or other events that have been organised through the Council or that are required in accordance with performance of the council member's official duties;
- (m) a donation disclosed (or to be disclosed) by the council member in a campaign donation return;
- (n) private and personal gift (such as a birthday present from a family member).

*Note: The principles under clause 4.1 still apply to gifts or benefits that are exempted from disclosure.*

## 5 ASSOCIATED POLICIES/DOCUMENTS

Elected Members Code of Conduct

## 6 REFERENCES AND RELATED LEGISLATION

*Local Government Act 2019*

### Revision History

Version	Approval date	Details of change	Responsible officer
1	27/01/2021	Created and adopted	Policy Review Committee
2	20/06/2023	Reviewed – changed to new template and minor administrative amendments.	Governance and Executive Officer
3			





## COUNCIL POLICY

### OTHER REASONABLE EXPENSES AND NON-MONETARY BENEFITS RECEIVED BY COUNCIL MEMBERS POLICY

Type:	Council – Elected Members		
Owner:	Chief Executive Officer		
Responsible Officer:	Governance and Executive Officer		
Approval Date:		Next Review:	1/07/2026
Records Number:	179565	Council/CEO Decision:	Council
Legislation Reference:	Section 109 (2) of the <i>Local Government Act 2019</i>		

#### 1 PURPOSE

The purpose of this policy is to set out council member entitlements with being provided with other reasonable expenses (not including travel and accommodation) and non-monetary benefits incurred or required as a result of undertaking official duties.

#### 2 SCOPE

This policy applies to elected members with Katherine Town Council.

#### 3 DEFINITIONS

**Non-monetary** means rewards that do not involve money.

**Reasonable** means appropriate or fair.

#### 4 DETAILS

Council is committed to providing non-monetary benefits to support council members to carry out their official duties in an accountable and transparent manner that ensures the proper use of council assets and resources.

##### 4.1 General expenses and benefits

Once per term of the Council, each council member will be provided with the following non-monetary benefits:

- an iPad or a tablet with sufficient internet data to carry out their official duties.

- a council email address with calendar facility. A council member's calendar shall be available to other council members and council staff to facilitate the smooth running of council operations and as a record of their activities relating to undertaking official duties.
- name badge for their use.

Council members wishing to use council resources, such for photocopying and printing, must arrange for the use of these resources through the CEO. Council resources may not be used for personal documents or for circulars, publications or election material.

#### 4.2 Additional benefits for Mayor

The Mayor is entitled to the following additional benefits to assist in undertaking official duties:

- mobile phone and suitable telecommunication plan;
- an office;
- secretariat assistance (as agreed with the CEO); and
- use of a dedicated council vehicle for travel within the Northern Territory. Travel outside the Northern Territory may be granted by requesting permission for the Chief Executive Officer. Costs of travel outside the Northern Territory for personal purposes should be covered by the Mayor.

## 5 ASSOCIATED POLICIES/DOCUMENTS

Elected Members General Policy and Procedures

## 6 REFERENCES AND RELATED LEGISLATION

*Local Government Act 2019*

#### Revision History

Version	Approval date	Details of change	Responsible officer
1	23/02/2021	Created and adopted	Policy Review Committee
2	20/06/2023	Reviewed – changed to new template and minor administrative amendments.	Governance and Executive Officer
3			



## COUNCIL POLICY

### REASONABLE EXPENSES FOR TRAVEL AND ACCOMODATION BY COUNCIL MEMBERS POLICY

Type:	Council – Elected Members		
Owner:	Chief Executive Officer		
Responsible Officer:	Governance and Executive Officer		
Approval Date:		Next Review:	1/07/2026
Records Number:	179570	Council/CEO Decision:	Council
Legislation Reference:	Section 109 (1) of the <i>Local Government Act 2019</i> .		

#### 1 PURPOSE

The purpose of this policy is to set out council member entitlements for payment or reimbursement of reasonable expenses for travel and accommodation necessary for attending council meetings and to the business of Council in accordance with a prior resolution.

#### 2 SCOPE

This policy applies to elected members with Katherine Town Council.

#### 3 DEFINITIONS

**Allowance** means a benefit, financial, material, or otherwise, payable and/or provided to an Elected Member in accordance with the *Local Government Act 2019*.

**Incidental expenses** mean minor but necessary expenses associated with your council-related travel.

**Other council business** means carrying out duties in relation to an appointed role (e.g. LGANT delegate), attending a conference, workshop, seminar, training session or other council business approved by council resolution; or carrying out other official duties for the Council.

**Reasonable** means appropriate or fair.

**Reimbursement** means repayment, in arrears, with sufficient documentation as required.

#### 4 DETAILS

Council is committed to ensuring that travel and accommodation arrangements, including payment and reimbursement of reasonable expenses, are administered in the most efficient and cost-effective manner.

#### 4.1 Approved process

All requests (and acquittal) for travel and accommodation arrangements are to be in accordance with a written process determined by the CEO and approved by the Council.

#### 4.2 Council meetings

If a council member is required to travel more than 60 km from their place of usual residence within the council area to attend a council meeting, the council member is entitled to payment or reimbursement or reasonable expenses for necessary travel and accommodation.

#### 4.3 Other council business

If a council member is required to travel to attend a conference, workshop, seminar, training session or other council business approved by council resolution, the council member is entitled to payment or reimbursement or reasonable expenses for necessary travel and accommodation.

For travel and accommodation expenses in relation to the use of a council member's professional development allowance, please refer to the *Professional development allowance policy*.

#### 4.4 Travel bookings

Air travel is to be by the most reasonably economic means available and shall not include business or first class. If air travel is required, it will be booked and paid by the Council.

Car rental reservations will be booked and paid by the Council, who will select the best-priced vehicle.

#### 4.5 Mileage allowance

Council vehicles are preferred for official travel. Special circumstances must exist for a council member to use their own private vehicle for council business (for example, when no council vehicle is available). The use of the private vehicle must be communicated to the CEO prior to travel.

Where a council member uses their own private vehicle to attend a council meeting or to council business in accordance with a council resolution and the distance is more than 60km (each way), a mileage allowance in accordance with the Australian Taxation Office (ATO) cents per kilometre method is payable.

Mileage allowances cannot be claimed by passengers.

Council will not take responsibility for any damage relating to use of private vehicles. It is the responsibility of the owner of the vehicle to ensure they have appropriate insurance prior to use.

#### 4.6 Traffic infringement notices and fines

Traffic infringement notices and fines are the individual responsibility of the driver of the vehicle. Any traffic infringement notices, or fines incurred whilst the vehicle is in control of the council member must be paid by the council member.

#### 4.7 Travel allowance

The amount payable for travel allowance (meals and incidentals) is to be in accordance with the ATO Taxation Determination.

All non-essential additional expenses such as telephone calls, room service or mini-bar supplies are the responsibility of the council member. Meal allowances are not to be paid when the meal is included in the cost of the meeting, conference, or other event.

#### 4.8 Accommodation

If the council member requires accommodation, it will be booked and paid for by the Council. Every effort must be made to ensure that the accommodation cost is at, or below, the amount set by the ATO Taxation Determination for the destination.

Where a council member chooses to self-provide private accommodation at a location, such as with friends or family, for which no payment was made to a commercial operator, the applicable payable rate will be a private accommodation allowance of \$45 per night. This is a flat rate to assist with any contribution to the household. Travel allowance for meals and incidentals are payable.

#### 4.9 Camping allowance

Camping allowance is payable to a council member who is required to be away overnight at a location where no commercial accommodation is available and must stay in a camp. The applicable rate is \$45 per night. Personal procurement of camping equipment remains the responsibility of the council member. Full travel allowances for meals and incidentals are payable.

#### 4.10 Registration fees

Council will pay registration fees for any training or conferences approved by council resolution.

#### 4.11 Accompanying partner

Travelling council members may be accompanied by a spouse or partner, subject to Council not incurring any additional expense.

#### 4.12 Cancellation and non-attendance

Where travel arrangements need to be changed or cancelled, the council member must inform the CEO as soon as possible to minimise any financial loss to the Council.

Where a council member fails to attend all or part of the business for which travel has been organised and paid, the council member is to notify the CEO as soon as practicable and provide the CEO with the reason(s) for non-attendance.

The CEO is to report any non-attendance at the next ordinary council meeting.

## 5 ASSOCIATED POLICIES/DOCUMENTS

Professional Development Allowance Policy

## 6 REFERENCES AND RELATED LEGISLATION

*Local Government Act 2019*

### Revision History

Version	Approval date	Details of change	Responsible officer
1	23/02/2021	Created and adopted	Policy Review Committee
2	20/06/2023	Reviewed – changed to new template and minor administrative amendments.	Governance and Executive Officer
3			



## COUNCIL POLICY

### CARETAKER POLICY

Type:	Council – Elected Members		
Owner:	Chief Executive Officer		
Responsible Officer:	Governance and Executive Officer		
Approval Date:		Next Review:	1/11/2025
Records Number:	179562	Council/CEO Decision:	Council
Legislation Reference:	Section 161(1) of the <i>Local Government Act 2019</i> .		

#### 1 PURPOSE

This policy sets out how council members and staff are to conduct their activities and actions during the local government general elections caretaker period in accordance with section 161(1) of the *Local Government Act 2019*.

#### 2 SCOPE

This policy applies to elected members and Council employees with Katherine Town Council.

#### 3 DEFINITIONS

**CEO** means Chief Executive Officer.

**Campaigning** includes campaigning activity, wearing or displaying campaign material (refer to definitions of ‘campaigning activity’ and ‘campaign material’ at sections 268 – 268A of the *Electoral Act 2004*).

**Caretaker period** means the period that commences on the nomination day for a council general election and ends when the results of the general election are declared in accordance with the *Local Government (Electoral) Regulations 2021*.

**Nomination day** means the day that nominations close for a local government general election.

**Major decisions** are those decisions that have a significant impact on council operations and activities and a reasonable person would not consider the decision to be part of the normal council operations.

#### 4 DETAILS

Council is committed to act in an economically efficient and transparent manner, to be socially and environmentally responsible and to provide a high standard of service delivery through its term. During a general election caretaker period, the normal operations and programs of the Council are to continue.

#### 4.1 Role of the CEO

The CEO will notify all council members and staff in writing at least 60 days prior to the commencement of the caretaker period of the commencement date of the caretaker period and that the caretaker principles in this policy will apply.

The CEO will continue to prepare reports and provide information and briefs for council members to carry out their roles.

#### 4.2 Major decisions

The Council will not make any major decisions during the caretaker period. Major decisions include:

- (a) entering into any high value contract or lease agreement exceeding \$100,000.00 (Inclusive GST);
- (b) entering into a new or substantially changed funding agreement, unless there is real risk the eligibility for funding will be lost;
- (c) committing council funds for new large-scale projects;
- (d) amending the Council's caretaker policy;
- (e) amending the Council's delegations; and
- (f) making a decision relating to the employment or remuneration of the CEO or Acting CEO.

However, major decisions do not include:

- (a) a decision that relates to the carrying out of works in response to an emergency or disaster; or
- (b) an urgent matter that cannot wait until a newly elected council makes a decision on that matter; or
- (c) a matter that has the possibility of legal or significant financial repercussions if a decision on the matter is deferred until the new council has been elected; or
- (d) an expenditure or other decision required to be taken under an agreement by which funding is provided to the Council by the Commonwealth or Northern Territory Government or otherwise for the Council to be eligible for funding from the Commonwealth or Northern Territory Government; or
- (e) the signing of an agreement, where the majority of the negotiations were undertaken or resolved by Council prior to the caretaker period commencing.

#### 4.3 Council resources

Council resources are not to be used for the campaigning purposes of a candidate.

Council resources may be used to help with running the general election or to encourage voter participation.

#### 4.4 Community engagement

##### 4.4.1 Communications

Council communication methods – including media, websites, social media and newsletters – will not be used in any way that favours, promotes or criticises any particular council member or candidate.

Council will continue to communicate normal council business relevant to the community.

##### 4.4.2 Public consultation

Council will defer any public consultation until after the caretaker period, unless:

- (a) it is mandatory public consultation required under legislation; or
- (b) it cannot reasonably be deferred.

##### 4.4.3 Events and functions



Council members will not use council events and functions held during the caretaker period for campaigning purposes.

#### 4.4.4 Electoral information

Council will only publish electoral information that is educational or promotional material relating to the election process and voter engagement.

## 5 ASSOCIATED POLICIES/DOCUMENTS

Elected Members Code of Conduct

## 6 REFERENCES AND RELATED LEGISLATION

*Local Government Act 2019*

### Revision History

Version	Approval date	Details of change	Responsible officer
1	24/11/2020	Created and adopted	Policy Review Committee
2	20/06/2023	Reviewed – changed to new template and minor administrative amendments.	Governance and Executive Officer
3			



## COUNCIL POLICY

### BREACH OF CODE OF CONDUCT POLICY

Type:	Council – Elected Members		
Owner:	Chief Executive Officer		
Responsible Officer:	Governance and Executive Officer		
Approval Date:		Next Review:	30/11/2025
Records Number:	179575	Council/CEO Decision:	Council
Legislation Reference:	section 121 of the <i>Local Government Act 2019</i>		

#### 1 PURPOSE

The purpose of this policy is made under section 121 of the *Local Government Act 2019* (the Act) and sets out how the Council will manage a complaint that a council member has contravened the Code of Conduct.

#### 2 SCOPE

This policy applies to elected members, Council employees, contractors, volunteers, and public associated with Katherine Town Council.

#### 3 DEFINITIONS

**CEO** means Chief Executive Officer.

**Code of Conduct** means the Code of Conduct set out in Schedule 1 of the Act.

**Complainant** means the person who lodges a Code of Conduct complaint against a council member (this person can be a council member or a member of the public).

**Respondent** means the council member who is alleged to have contravened the Code of Conduct.

#### 4 DETAILS

In managing complaints and contraventions of the Code of Conduct, Council's guiding principles are to:

- (a) promote behaviour among all council members that meets the standards set out in the Code of Conduct, with a restorative approach that seeks to focus on constructive outcomes;
- (b) emphasise a preference that disputes and allegations be identified and resolved before they escalate to the stage of a formal complaint; and

- (c) recognise the leadership role of the Mayor and the responsibility of all members to work together collaboratively pursuant to their corporate responsibilities; and
- (d) use the council-led complaints process as the formal method of resolving complaints that cannot be otherwise resolved.

#### 4.1 Conflict resolution

The Act provides that the Mayor is to promote behaviour amongst all council members that meets the standards set out in the Code of Conduct. Any council member who is aggrieved in relation to a potential Code of Conduct matter should raise the grievance in the first instance with the Mayor to seek a resolution. If the grievance is in relation to the Mayor, the grievance should be raised with the Deputy Mayor.

In response to a potential Code of Conduct complaint matter, the Mayor (or Deputy Mayor) will engage in informal discussions with the affected parties, as appropriate, to seek to resolve the matter so that it does not escalate into a formal complaint. The Mayor or Deputy Mayor may take advice with regard to dealing with the matter and, subject to Council's budget, make use of internal or external resources. For example, the Mayor or deputy may take expert advice or involve a person to assist in discussions with the parties.

#### 4.2 Confidentiality

Information regarding a complaint is confidential, including the complaint form, statements from any parties, and reports provided by the CEO regarding the status of a complaint.

Complaints will only be formally discussed by the Council or council panel during confidential sessions. Minutes kept by the Council or a council panel are confidential information in accordance with regulation 49(f) of the *Local Government (General) Regulations 2021* and Council's policy in relation to confidential information.

In accordance with the legislation, the CEO will provide a report on the progress of any undecided complaint in the confidential session of each ordinary council meeting.

#### 4.3 Complaint requirements

A complaint alleging a contravention of a Code of Conduct must:

- (a) be in the approved form (which includes a statutory declaration and is available on the Council's website); and
- (b) be made within three (3) months of the alleged contravention of the Code of Conduct.

A Code of Conduct complaint must be lodged with the CEO, who will assess whether or not the complaint complies with the above requirements. If it appears that a complaint does not comply with the above requirements, the CEO must notify the complainant of the issues with the form of the complaint as soon as practicable and allow the complainant the opportunity to re-lodge a revised complaint.

A Code of Conduct complaint that is lodged in writing to the CEO, whether or not it complies with the above requirements for a Code of Conduct complaint, must be referred to the Council by the CEO.

#### 4.4 Notifications to parties

When a complaint is received, the CEO will provide notifications to the complainant and the respondent, in accordance with the requirements of the Act and *Local Government (General) Regulations 2021*.

The CEO carries out the role of secretariat in relation to a complaint and communicates with complainant, respondent and any relevant witnesses on behalf of the Council or council panel.

#### 4.5 Referral to LGANT

The CEO will refer the matter to LGANT if a complainant council member or respondent has elected to refer the complaint to LGANT under section 124(3) of the Act.

*Note: A complainant who is not a council member does not have the option to request referral to LGANT.*

#### 4.6 Initial consideration by Council

The CEO will refer the complaint to the Council for consideration in confidential session in the next council meeting, unless the complaint has been referred to LGANT in accordance with clause 4.5 above.

Before the council meeting, the CEO will establish a list of suitable third parties who do not have a conflict of interest and are willing to accept a referral of the matter.

The CEO will provide a copy of the complaint and any response from the respondent, the list of suitable third parties and a draft term of reference for Council's consideration.

The complainant, respondent and any council member with a conflict of interest in relation to the complaint are required to leave the meeting room during any discussion, consideration or decision relating to the complaint.

When considering a Code of Conduct complaint, Council has the following three options:

- 1) refer the complaint to a third party for advice – with Council to decide the complaint (see clause 4.7); or
- 2) refer the complaint to a council panel – for the panel to decide the complaint (see clause 4.8); or
- 3) decide the matter as the Council (see clause 4.9).

#### 4.7 Referral to third party

Council may decide to refer the complaint to an independent third party for advice and recommendations by taking into the consideration the following:

- (a) whether the complainant or respondent requested the involvement of a third party;
- (b) the costs, if any, of referring the matter to a third party;
- (c) whether the advice of a third party is reasonably expected to assist in achieving constructive outcomes for the parties involved;
- (d) whether advice of a third party is reasonably expected to be received and able to be considered by the Council prior to the expiry of the 90-day period.

Council will not refer the matter to a third party unless satisfied of (c) and (d).

Examples of a third party are: an alternative dispute practitioner; a mediator; a person experienced in local government matters; and a person experienced in conflict resolution.

Where the matter is referred to a third party, the terms of reference will include that the third party is to do the following:

- (a) consider the complaint and discuss with each of the parties;
- (b) explore and follow up avenues for resolution between the parties;
- (c) if resolution is not achievable, then the third party is to:
  - (i) ensure natural justice is provided to both parties;
  - (ii) interview any witnesses if necessary, to form a view;
  - (iii) provide a written report to Council by a specified date covering the process, summary of evidence, attempts to resolve and recommendation;
  - (iv) provide a draft decision notice that may be used if council decide to adopt the recommendation.

Upon receiving the advice and any recommendations from the third party, provided the Council is satisfied that each party has been able to put their case and respond to any allegations of the other party, the Council will

then decide the complaint. The Council is not bound by any advice or recommendations received from the third party.

Once the written report and draft decision notice is provided to the third party, the Council must decide the complaint (see clause 4.9.2).

#### 4.8 Referral to council panel

Council may decide to refer the complaint to a council panel for decision.

In order to fulfil the secretariat role in managing the Code of Conduct complaints process, the CEO will be in attendance at all council panel meetings.

If the Council decides to refer the complaint to a council panel, the Council will establish a council panel for the complaint.

The composition of the council panel will be the following:

- (a) the Mayor (as chair of the council panel) – unless the Mayor is the complainant, respondent or has a conflict of interest;
- (b) if the Mayor is the complainant, respondent or has a conflict of interest – the Deputy Mayor will be the chair of the council panel;
- (c) if neither the Mayor or Deputy Mayor meet the requirements – the Council will choose a council member who is not the complainant or respondent and does not have a conflict of interest to chair the council panel;
- (d) two other council members – who are not the complainant or respondent and do not have a conflict of interest.

#### 4.9 Council or council panel process

The Council or the council panel will consider the complainant's written complaint and, if received, the respondent's written response to the complaint. In keeping with natural justice principles, the CEO will ensure that each party has a fair opportunity to provide comment on submissions from the other party.

##### 4.9.1 Requests for information

If the Council or council panel requires further information to determine whether or not a contravention of the Code of Conduct occurred, the Council or council panel may request information from the complainant, respondent, or any relevant witnesses. The request for information will specify:

- (a) the information that is being sought;
- (b) that the information is to be provided as a written statement (including a statutory declaration); and
- (c) a reasonable timeframe to receive the statement (between 3 and 14 days).

##### 4.9.2 Decision

The Council or council panel will decide the complaint after the following steps have been completed:

- (a) the members have considered the written complaint;
- (b) the members have considered all written submissions and statements; and
- (c) the members have read and considered the report from the third party (if applicable).

The Council can make the following decisions:

- (a) to take no action (and not make a decision about whether the respondent contravened the Code of Conduct);
- (b) that the respondent did not contravene the Code of Conduct; or
- (c) that the respondent contravened the Code of Conduct.

If the complainant is found by the Council or council panel to have contravened the Code of Conduct, the Council or council panel may decide to:

- (a) take no action (for example, if it is evident that appropriate steps have already taken place to address the conduct or the issues has been resolved between the affected parties); or
- (b) either or both of the following:
  - (i) issue a reprimand to the respondent (for example, a reprimand may be a formal expression of disapproval in writing in the decision notice);
  - (ii) recommend that the complainant, respondent or any other person attend training, mediation or counselling by a specified date.

In choosing from the above options, preference will be given to the option that the Council or council panel considers most likely to result in a constructive outcome.

If training, mediation or counselling is recommended to a council member, the council member may use their professional development allowance, if available, towards the cost of the training, mediation or counselling.

#### 4.9.3 Decision notice

After the Council or council panel decides the complaint, the CEO is to, as soon as practicable, draft a written decision notice that sets out the following matters:

- (a) the Council or council panel's decision and the reasons for it; and
- (b) any right the person to whom the notice is to be given has, under the *Local Government Act 2019* or another Act, to apply for a review of the decision, to apply for a consideration of the matter or to appeal the decision.

The draft decision notice is to be electronically provided to the council member who chaired the meeting in which the Council decided the complaint, or if a council panel decided the complaint, to all members of the council panel. The decision notice is to be authorised by the chair or the council panel and may be authorised remotely, if this is more practicable in the circumstances.

Within 90 days of receipt of the complaint was initially received by the CEO, and as soon as practicable after a decision has been authorised by the chair or council panel, the CEO will provide the authorised decision notice to the complainant and the respondent.

The decision notice will set out the decision and the reasons for the decision. It will also state that within 28 days of receiving the notice, either party may apply to LGANT to reconsider the complaint.

#### 4.9.4 Summary of decision

After the expiry of the 28-day appeal period, the CEO will seek advice from LGANT as to whether any of the parties have applied to LGANT for consideration of the complaint under section 126(3) of the Act.

If no parties have applied to LGANT for consideration of the complaint, the CEO will prepare a summary of the decision to be reviewed by the Council or council panel in the confidential session of the next meeting of the Council or council panel.

The summary of the decision is to set out the following information:

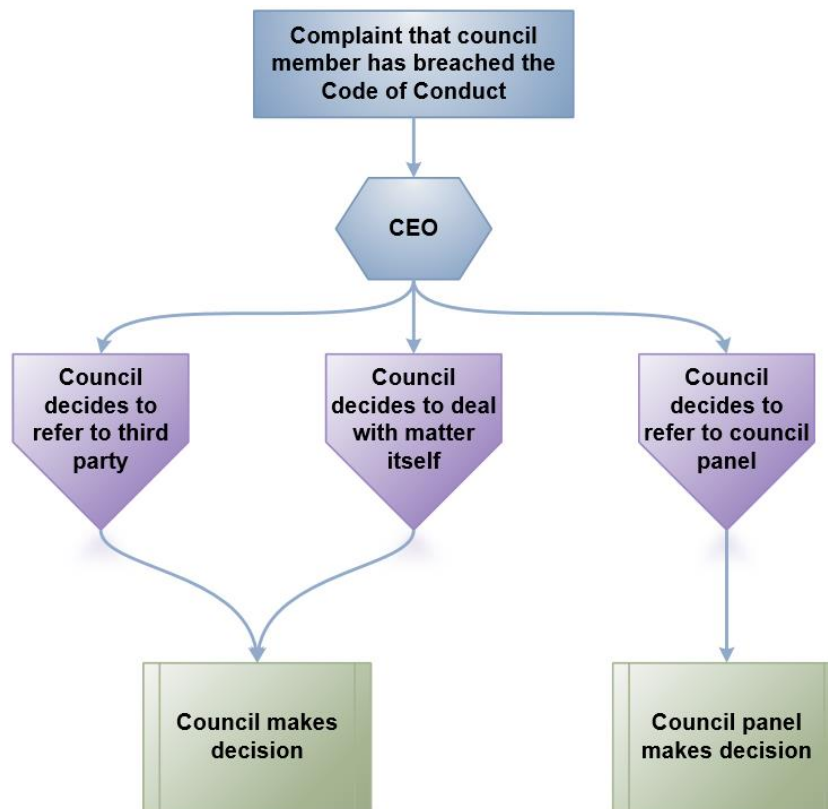
- (a) the names of the complainant and respondent;
- (b) the date of the decision;
- (c) a concise description of the conduct alleged to have been a contravention of the Code of Conduct;
- (d) if a Code of Conduct was found to be contravened – the item(s) of the Code of Conduct that the respondent contravened; or
- (e) if a Code of Conduct was not found to be contravened – that no contravention of the Code of Conduct was established by the Council or council panel; and

(f) any actions or recommendations made by the Council or council panel.

The Council or council panel will consider the summary of the decision and, subject to the Council's or council panel's approval of the information that is to be included, finalise the summary.

The approved summary is to be tabled in the open section of the next ordinary council meeting as part of Council's public business papers.

#### 4.10 Flowchart



## 5 ASSOCIATED POLICIES/DOCUMENTS

Elected Members Code of Conduct

Breach of Code of Conduct Complaint Form

## 6 REFERENCES AND RELATED LEGISLATION

*Local Government Act 2019*

### Revision History

Version	Approval date	Details of change	Responsible officer
1	24/11/2020	Created and adopted	Policy Review Committee
2	20/06/2023	Reviewed – changed to new template, minor administrative amendments and inclusion of flowchart.	Governance and Executive Officer
3			



## 14.5 KATHERINE TOWN COUNCIL COMMUNITY GRANT GUIDELINES

**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 - JUNE/179568

**AUTHOR** : ROSEMARY JENNINGS, DIRECTOR COMMUNITY SERVICES

**AUTHORISER** : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

**ATTACHMENT/S** : 1. DRAFT - KTC COMMUNITY GRANT GUIDELINES 2023-24 (UPDATED).PDF [↓](#) 

### OFFICER RECOMMENDATION

1. That Council approve the Katherine Town Council Community Grant Guidelines 2023/24

### PURPOSE OF REPORT

To seek Council's endorsement of the Katherine Town Council Community Grant Guidelines 2023/24

### COMMUNITY PLAN/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

Katherine Town Council budgets for an annual community grants program, with the intent of funding community led projects, events, and initiatives. The Community Grants program is an internal committee of council, consisting of appointed elected members and related Council staff to administer the process.

There has been an extended period since the objectives of the grants has been reviewed.

### DISCUSSION

With the completion of the *Katherine 2027 Five Year Strategic Plan*, a revision of the community grants was required to ensure alignment between applications and Council identified priorities. Additionally, work was required to identify and remove inconsistencies that have been previously noted between various documents (grant guidelines, application forms, terms & conditions etc).

The key amendments to the grant guidelines have been summarised below:

- Add direct reference to *Katherine 2027 Five Year Strategic Plan* priorities;
- Remove reference to external community representative in grant assessment process;

- Ensure 'Conditions of Grant' section is consistent with Terms & Conditions contained in Katherine Town Council's grant agreement; and
- Remove reference that organisations who currently receive Council funding are ineligible for grant funding and to instead highlight that preference will be given to those applications who do not currently receive Council funding.

### **CONSULTATION PROCESS**

The Executive management team have provided input to the revised guidelines.

The guidelines have been revised to provide better alignment with Council's priorities as per the *Katherine 2027 Five Year Strategic Plan* which was the result of extensive community consultation in 2022.

### **POLICY IMPLICATIONS**

There are no foreseen policy implications as a result of endorsing these guidelines.

### **BUDGET AND RESOURCE IMPLICATIONS**

There are no foreseen budget implications. Katherine Town Council currently has \$40,000 budgeted for Community Grant allocation in 2023/24 (subject to formal budget approval)

Readjustment of the Grant Committee model, with removal of the external committee member, will allow Council Elected Members and staff to complete the grant awarding process in a more efficient manner.

### **RISK, LEGAL AND LEGISLATIVE IMPLICATIONS**

This is an internal committee of Council with elected members and staff, operating in an advisory capacity only and does not meet the definition within the *Local Government Act 2019* of an Advisory Committee. All recommendations are subject to endorsement of Council by way of council resolution.

There are no foreseen or perceived risks or legal and legislative implications associated with the endorsement of these guidelines.

### **ENVIRONMENT SUSTAINABILITY IMPLICATIONS**

Further alignment with *Katherine 2027 Five Year Strategic Plan* will include identifying and supporting projects, events, and initiatives that meet Strategic Priority Seven: Environmental Sustainability.

### **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.



# COMMUNITY GRANTS

## 2023/24 Guidelines & Information

Katherine Town Council, 24 Stuart Highway, Katherine NT 0850  
Ph: (08) 8972 5500 | F: (08) 8971 0305 | E: [contactus@ktc.nt.gov.au](mailto:contactus@ktc.nt.gov.au)  
W: [www.katherine.nt.gov.au](http://www.katherine.nt.gov.au) | ABN: 4783 6889 865

# ABOUT THE PROGRAM

Funding through this Grant Program is available to assist community groups and major events within Katherine.

Applicants may apply for up to **\$2,000** for community groups or **\$5,000** for major events.

The application process will be as per the following criteria:

- The submission has demonstrated cost effectiveness and soundness
- The applicant group is contributing resources, within their capacity
- Other sources of funding are not readily available
- Benefits the whole or part of the community of Katherine
- Location and community access to the planned events and activities
- Enhance the development of community based initiatives
- Aligns with the priorities identified in Katherine Town Council's 5 year Strategic Plan.

**Conditions of the Grants:**

- Funds are not granted retrospectively.
- Funds may not be used for any other purpose without prior approval of Katherine Town Council.
- The grant recipient will advise Katherine Town Council of any changes within the organisation as soon as possible after they occur (for example, change of project date, executive personnel changes, contact details).
- The grant recipient will obtain all appropriate approvals/permits, insurance cover etc relating to the project for which the grant is awarded. A copy of the public liability insurance Certificate of Currency should be included with the grant application.
- The grant recipient will acknowledge the Katherine Town Council in all documentation and promotion of the funded project. A copy of the Katherine Town Council logo will be forwarded to all recipients upon request.
- Where there is a need for Council services in relation to the funded project, the grant recipient will ensure that the budget adequately covers the costs of these services.
- If the project runs over budget, Katherine Town Council is in no way responsible for meeting the shortfall.
- An evaluation form and financial acquittal is to be forwarded to Katherine Town Council within 3 months of completion of the project. This should provide a brief overview of the project.
- No organisation will receive further funding until all previous community grant monies have been satisfactorily acquitted.
- Details supplied by your organisation in your grant submission, including the name of the organisation, the amount, purpose and reasons for approval or non-approval may be published and used by the Katherine Town Council in any form and at any time.
- The total funding is limited and subject to annual variation by Council and as such, all applications will be assessed on relative merit. It is not possible to approve all requests for assistance, therefore grant funding should not be deemed automatic, nor should it be anticipated.
- Aligns with Katherine Town Council's 5 year Strategic Plan.

# BUDGET

Applicants need to declare all sources of income relevant to the project. These could include such things as grants from other funding agencies, sponsorship, admission or stallholder fees or fundraising activities.

It is important to note that 'in-kind' contributions are still recognised as income, providing that there is a corresponding entry in the expenditure column.

In the application budget section the total income of the project must equal the total expenditure of the project. Types of expenditure can include such things as:

- Professional wages and fees
- Insurance, including public liability (please note that this is classed as in-kind)
- Local travel and transport
- Materials and capital items
- Services including street permits
- Venue and equipment hire including charges for electricity
- Advertising and publicity

# APPLICATION ELIGIBILITY

## **To be eligible, the proposal must:**

- Take place within the Katherine Town Council local authority area
- Generally be one-off, as no guarantees of ongoing funding will be made.

## **To be eligible, the applicant must:**

- Be an incorporated group or organisation or be auspiced by another organisation that is incorporated and able to manage the grant on behalf of the applicant.
- A copy of a Certificate of Incorporation (registration number if certificate unavailable) or equivalent must be supplied.
- Consideration will also be given to purely volunteer groups and individuals.
- Be operating on a non-profit basis.
- Be able to demonstrate effective management skills and be financially accountable.
- Be able to make a reasonable contribution and/or attract other funding or sponsorship to the project.
- Provide details of other sources of funding sought and obtained.
- Provide details of all professionals to be employed on the project or appointed person or committee member.
- Provide a Certificate of Currency for appropriate Public Liability Insurance.

**The program does not fund:**

- Organisations that operate for commercial purposes.
- The cost of public liability insurance.
- Organisations that have not satisfactorily acquitted previous grant applications to Council by the due date.
- Projects or events that are run for commercial purposes.
- Ongoing operational or administrative costs.
- Uniforms.
- Retrospectively (i.e. for a project that is completed or already underway).
- Travel and accommodation outside of the Municipality – except where a judge and/or consultant that cannot be found locally – however, must be able to show value adding and upskilling to the community.
- Activities that are the primary responsibility of other funding agencies.

## WHO CANT APPLY?

**The following are not eligible to apply:**

- Political organisations.
- Government departments – state or federal.
- For profit groups/commercial organisations.
- Individuals (unless auspiced by an incorporated body).
- Tertiary education institutions.



# HOW DO I APPLY?

- Download and complete the appropriate application form.
- Attach any supporting documentation, eg any written quotations, public liability insurance.
- Submit your application by close of business on the closing date.

**If you require assistance to fill out the application or need further information you can contact Katherine Town Council on 8972 5500 for advice.**

Applications may be lodged by any of the following means:

- E-Mail: [contactus@ktc.nt.gov.au](mailto:contactus@ktc.nt.gov.au)
- Post: Katherine Town Council, PO Box 1071, KATHERINE NT 0851
- Hand deliver to: Katherine Town Council, Civic Centre, 24 Stuart Highway, KATHERINE NT 0850

## WHAT CAN I APPLY FOR?

It is important that your application details what this initiative will achieve in the long and short term and how it aligns with Katherine Town Councils Strategic Plan. The following table details some examples of eligible and ineligible projects:

Examples of some eligible projects:	Examples of ineligible projects:
<ul style="list-style-type: none"><li>• Inaugural events</li><li>• Projects targeted at the community</li><li>• Major events aimed at the community as a whole</li><li>• School fete with community engagement</li><li>• Festival</li><li>• Essential equipment and capital purchases.</li></ul>	<ul style="list-style-type: none"><li>• competition / membership fees</li><li>• overheads and service charges involved with running an organisation</li><li>• travel for teams or individuals to State or National competition and carnivals</li></ul>

## HOW WILL MY APPLICATION BE ASSESSED?

Late applications will not be accepted and Katherine Town Council can only assess applications that are complete, and submitted by the closing date. If your organisation fails to submit a complete application, it will not be assessed.

Applications will be assessed by a committee made up of Katherine Town Council Elected Members & Katherine Town Council staff. The committee will provide the recommendations to an Ordinary Meeting of Council.

Funding is competitive and it is not possible to always fund all requests. Applications are assessed in line with these guidelines. Preference will be given to those applications who do not currently receive Council funding.

Katherine Town Council's decision will be final and no correspondence will be entered into.

## HOW WILL I KNOW MY APPLICATION IS SUCCESSFUL?

Applicants will be notified of the result of their application by mail. If your application is successful, you will receive a Funding Agreement. Your organisation must comply with all conditions outlined in this Agreement. The Agreement will outline the level of funding approved and the approved initiative. Your organisation will be required to sign the agreement as indicated and return it to Katherine Town Council before the funds can be paid.

Grant Funding will be paid directly into your organisations, or your nominated incorporated association's, bank account. Your organisation will be required to keep records of the grant expenditure and may comply with acquittal requirements as outlined in the funding agreement.

## WHAT IF MY ORGANISATION IS GST REGISTERED?

- The grant will be 'grossed up' by the GST amount.
- A tax invoice will need to be supplied by the successful organisation or a Statement by a Supplier form completed.
- It is your organisation's responsibility to pay the GST component to the Australian Taxation Office.

## 14.6 MONTHLY REPORT OF CORPORATE SERVICES FOR THE MONTH OF MAY 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 - JUNE/179512

**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 May 2023.

### PURPOSE OF REPORT

To present the report for Corporate Services department for the month of May 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

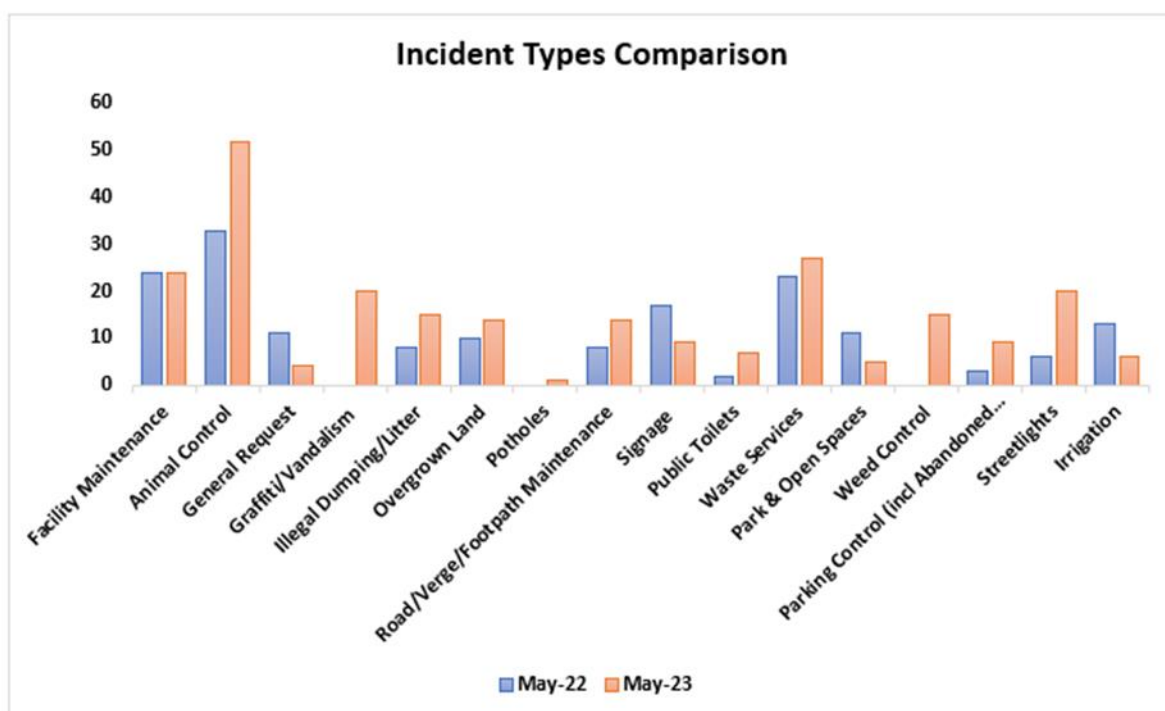
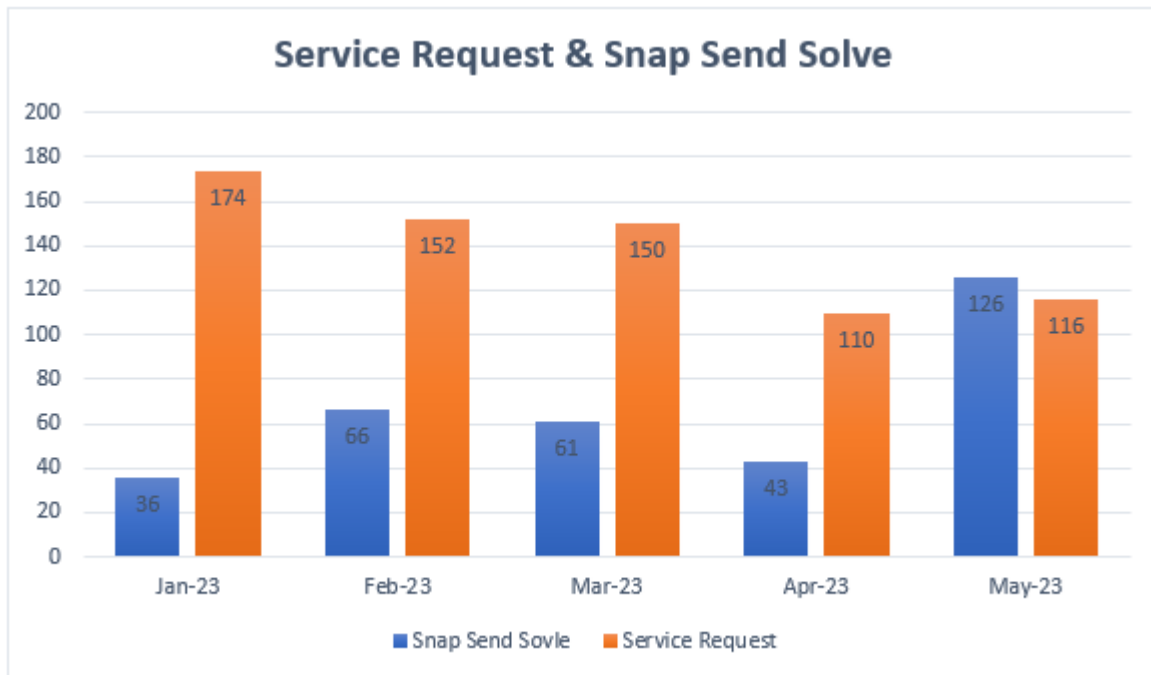
#### Administration Services

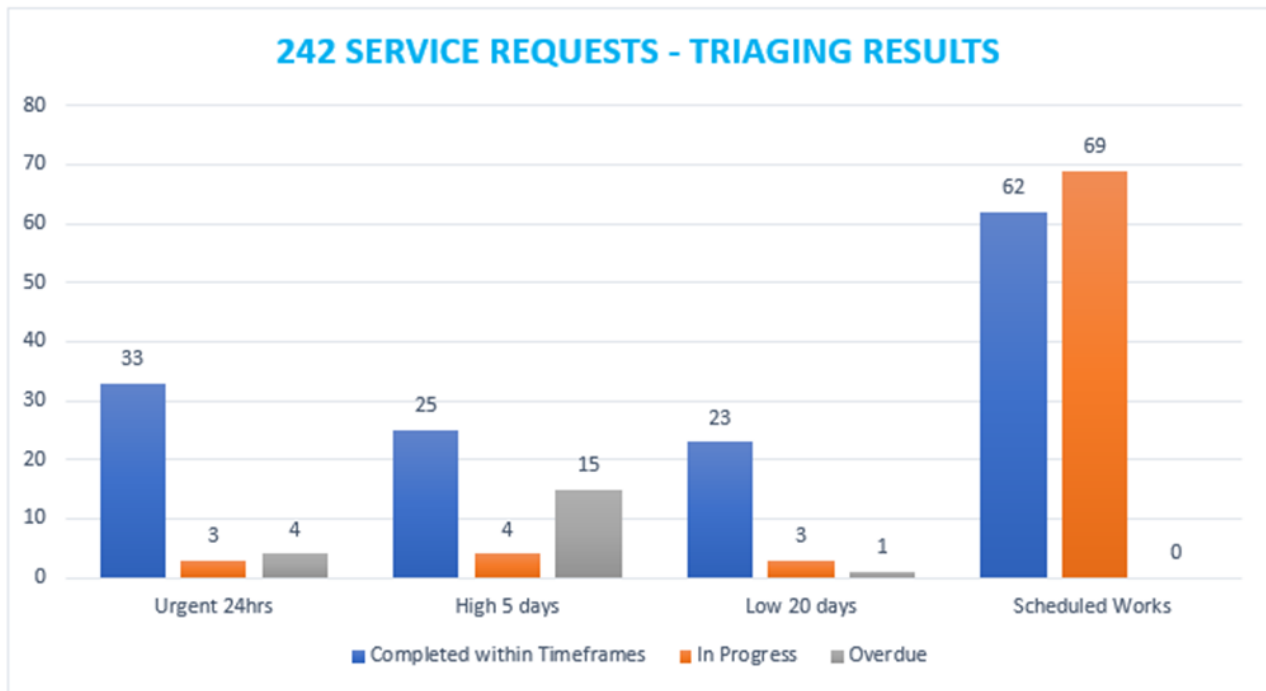
Following are some of the key highlights for May:

Customer Service Requests – In the month of May Council received 242 service requests, 143 service request were completed on time, 79 service requests are still in progress, 20 remain overdue and are yet to

be resolved. 126 snap send solves (SSS) were submitted for the month of May; the leading incident types was recorded for Animal Control, followed by Waste Services and Council Facility Maintenance. Reporting by the new Customer Service Categories, we also identified that around 55% of the service requests were related to scheduled/planned works. This demonstrates that 55% of the works is not based on being reactive to the community, but this validates that the scheduled works are align with our service deliverables.

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





### Financial Services

The Draft Budget 2023-24, Long-term Financial Plan and the Municipal Plan has been finalised and is out for public consultation before adoption at the end of June. Finance team has started preparing for the EOFY and the Annual Audit.

### 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**

## 14.7 FINANCE REPORT FOR THE MONTH OF MAY 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 - JUNE/179520

**AUTHOR** : AVTAR SINGH, DIRECTOR OF CORPORATE SERVICES

**AUTHORISER** : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

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

### OFFICER RECOMMENDATION

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

### PURPOSE OF REPORT

The purpose of this report is to present to Council the Financial Report for May 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 May 2023 with the Chief Executive Officer (CEO) Certification.

### DISCUSSION

- Total YTD income is 1.52% above budget (Favourable result).
- Total YTD operating expenditure is 6.42% below budget (Favourable result).

- Employee Costs are below budget by 9.09% as some positions remained vacant throughout the year.
- Materials/Services are below budget by 7% due to timing of the spending.
- Monthly creditor payments have been made to all known suppliers with payments made weekly.
- 89.30% of our Infringements are outstanding longer than 90 days with 94.4% of these being outstanding longer than 1 year to less than 3 years.
- 6% of our Debtors (excluding rates and infringements) are outstanding for longer than 90 days.
- 46.66% 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 Council's 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**

<b>INCOME AND EXPENSE STATEMENT FOR THE PERIOD ENDING MAY 2023</b>	<b>YTD Actuals \$</b>	<b>YTD Budget \$</b>	<b>YTD Variance \$</b>	<b>Annual Budget \$</b>
<b>OPERATING INCOME</b>				
Rates	9,874,262	9,704,076	170,186	9,704,076
Charges	56,614	52,567	4,047	57,346
Fees and Charges	2,051,335	1,974,614	76,721	2,154,125
Operating Grants and Subsidies	1,891,330	2,036,375	-	2,221,500
Interest / Investment Income	524,676	485,833	38,842	530,000
Commercial and Other Income	151,653	77,917	73,736	85,000
<b>TOTAL OPERATING INCOME</b>	<b>14,549,871</b>	<b>14,331,382</b>	<b>218,488</b>	<b>14,752,047</b>
<b>OPERATING EXPENDITURE</b>				
Employee Expenses	4,812,500	5,293,682	-	5,774,926
Materials and Contracts	5,804,932	6,241,954	-	6,809,404
Elected Member Allowances	191,899	197,714	-	215,688
Elected Member Expenses	19,195	49,483	-	53,981
Council Committee & Allowances				
Council Committee & Expenses				
Depreciation, Amortisation and Impairment	3,135,638	3,138,926	-	3,424,283
Interest Expenses	-	-	-	-
Other Expenses	-	-	-	-
<b>TOTAL OPERATING EXPENDITURE</b>	<b>13,964,164</b>	<b>14,921,759</b>	<b>(957,595)</b>	<b>16,278,282</b>
<b>OPERATING SURPLUS / DEFICIT</b>	<b>585,707</b>	<b>(590,376)</b>	<b>1,176,083</b>	<b>(1,526,235)</b>

**Table 1.2 Monthly Operating Position**

<b>INCOME AND EXPENSE STATEMENT FOR THE PERIOD ENDING MAY 2023</b>	<b>YTD Actuals \$</b>	<b>YTD Budget \$</b>	<b>YTD Variance \$</b>	<b>Annual Budget \$</b>
<b>BUDGETED OPERATING SURPLUS / DEFICIT</b>	<b>\$ 585,707</b>	<b>-\$ 590,376</b>	<b>\$ 1,176,083</b>	<b>-\$ 1,526,235</b>
<b>Remove NON-CASH ITEMS</b>				
Less Non-Cash Income			0	
Add Back Non-Cash Expenses	3,135,638	3,138,926	(3,288)	3,424,283
<b>TOTAL NON-CASH ITEMS</b>	<b>3,135,638</b>	<b>3,138,926</b>	<b>(3,288)</b>	<b>3,424,283</b>
<b>Less ADDITIONAL OUTFLOWS</b>				
Capital Expenditure (KTC funded)	428,395	1,279,644	- 851,249	1,395,975
Borrowing Repayments (Principal Only)			-	
Transfer to Reserves			-	
Other Outflows (Grant Funded Capex)	1,039,572	0	1,039,572	0
<b>TOTAL ADDITIONAL OUTFLOWS</b>	<b>(1,467,967)</b>	<b>(1,279,644)</b>	<b>(188,324)</b>	<b>(1,395,975)</b>
<b>Add ADDITIONAL INFLOWS</b>				
Capital Grants Income	2,013,102	687,500	1,325,602	750,000
Prior Year Carry Forward Tied Funding			-	
Other Inflow of Funds	6,375		6,375	
Transfers from Reserves			-	
<b>TOTAL ADDITIONAL INFLOWS</b>	<b>2,019,477</b>	<b>687,500</b>	<b>1,331,977</b>	<b>750,000</b>
<b>NET BUDGETED OPERATING SURPLUS / DEFICIT</b>	<b>4,272,854</b>	<b>1,956,406</b>	<b>2,316,448</b>	<b>1,252,073</b>

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

<b>CAPITAL EXPENDITURE **</b>	<b>YTD Actuals \$</b>	<b>YTD Budget * \$</b>	<b>YTD Variance \$</b>	<b>Current Financial Year (Annual) Budget * \$</b>
Buildings & Other Structures	639,344	300,552	338,792	327,875
Footpaths & Cycleways	83,000	0	83,000	0
Furniture, Fittings & Equipment	0	158,492	(158,492)	172,900
Improvements	176,831	552,475	(375,644)	602,700
Plant & Equipment	88,925	268,125	(179,200)	292,500
Roads	402,095	0	402,095	0
Street Lighting	77,772	0	77,772	0
			0	
<b>TOTAL CAPITAL EXPENDITURE*</b>	<b>1,467,967</b>	<b>1,279,644</b>	<b>188,324</b>	<b>1,395,975</b>
<b>TOTAL CAPITAL EXPENDITURE FUNDED BY: **</b>				
Katherine Town Council	428,395	1,279,644	(851,249)	1,395,975
Capital Grants	1,039,572	0	1,039,572	0
Transfer from Cash Reserve	0	0	0	0
Borrowings	0	0	0	0
Sale of Assets (Including Trade-In)	0	0	0	0
Other Funding	0	0	0	0
<b>TOTAL CAPITAL EXPENDITURE FUNDING</b>	<b>1,467,967</b>	<b>1,279,644</b>	<b>188,324</b>	<b>1,395,975</b>

**Table 3. Monthly Balance Sheet Report**

BALANCE SHEET AS AT MAY 2023	YTD Actuals \$	Note Reference
<b>ASSETS</b>		
Cash at Bank		(1)
Restricted Funds	14,769,506.66	
Unrestricted Funds	5,001,599.77	
Accounts Receivable		
Trade Debtors	535,819.14	(2)
Rates & Charges Debtors	1,126,626.59	
Other Current Assets	202,541.93	
<b>TOTAL CURRENT ASSETS</b>	<b>21,636,094.09</b>	
Non-Current Financial Assets	229,785.41	
Property, Plant and Equipment	97,568,930.74	
<b>TOTAL NON-CURRENT ASSETS</b>	<b>97,798,716.15</b>	
<b>TOTAL ASSETS</b>	<b>119,434,810.24</b>	
<b>LIABILITIES</b>		
Accounts Payable	889.34	(3)
ATO & Payroll Liabilities	137,796.00	(4)
Current Provisions	652,070.50	
Accruals		
Other Current Liabilities	363,038.01	
<b>TOTAL CURRENT LIABILITIES</b>	<b>1,152,015.17</b>	
Non-Current Provisions	63,066.04	
Other Non-Current Liabilities	7,186,655.00	
<b>TOTAL NON-CURRENT LIABILITIES</b>	<b>7,249,721.04</b>	
<b>TOTAL LIABILITIES</b>	<b>8,401,736.21</b>	
<b>NET ASSETS</b>	<b>111,033,074.03</b>	
<b>EQUITY</b>		
Asset Revaluation Reserve	75,549,402.03	
Reserves	6,688,161.06	
Accumulated Surplus	28,795,510.94	
<b>TOTAL EQUITY</b>	<b>111,033,074.03</b>	

**Note 1. Details of Cash and Investments Held**
**CASH AND INVESTMENTS as at 31 MAY 2023**

<b>GENERAL FUND</b>						\$
Commonwealth Bank						
Balance as per bank statement, 31 MAY 2023						2,016,576
Credit card balances						10,675
Balance of Imprest and Petty Cash						1,351
Plus net outstanding deposits/(withdrawals)						-
Adjusted cash at bank balance, 31 MAY 2023						<b>2,028,602</b>
<b>INVESTMENTS</b>						
<b>FINANCIAL INSTITUTION</b>	<b>\$</b>	<b>RATE</b>	<b>DATE</b>	<b>DATE</b>	<b>INSTITUTION</b>	
AMP (oncall)	503,709.49		on call	on call		
AMP	1,000,000.00	4.75%	6-Apr-23	2-Nov-23		
AMP	1,000,000.00	4.70%	4-Apr-23	4-Oct-23		
AMP	500,000.00	4.70%	31-Mar-23	28-Sep-23		
AMP	500,000.00	4.80%	13-Apr-23	13-Nov-23	3,503,709	
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	
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	942,831.71		on call	on call	7,742,832	
<b>Total Investments</b>						<b>17,746,541</b>
<b>Total Funds</b>						<b>19,775,143</b>

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	
	Provision for Employees			715,137	
	RESTRICTED FUNDS				14,589,953
Unrestricted funds					5,005,636
Unexpended Capital grants- Restricted Funds					178,203
Imprest and Floats - Restricted Funds					1,351
Total Funds					\$ 19,775,143

**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	600,939.21	\$	\$ 525,687	\$ 1,126,627
Sundry Debtors	43,399.48	\$ 16,022	\$ 26,928	\$ 86,349
Weighbridge Debtors	433,079.18	\$ 9,303	\$ 7,087	\$ 449,470
Infringement - Animal	980.00	\$ 472	\$ 7,000	\$ 8,452
Infringement - Parking	-	\$ -	\$ 4,739	\$ 4,739
Infringement - Litter/Camping	-	\$ -	\$ 338.00	\$ 338
<b>TOTAL</b>	<b>1,078,397.87</b>	<b>\$ 25,797</b>	<b>\$ 571,779</b>	<b>\$ 1,675,975</b>

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. The significant increase is due to newly levied rates for 2022-2023

**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	- 889.34	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	137,796
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**Note 5. Current Ratio**

Current Ratio	18.52
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**Table 2.2. Quarterly Report on Planned Major Capital Works**

Class of Assets	By Major Capital Project *	Total Prior Year(s) Actuals \$ (A)	YTD Actuals \$ (B)	Total Actuals \$ (C = A + B)	Total Planned Budget ** \$ (D)	Total Yet to Spend \$ (E = D - C)	Expected Project Completion Date
Buildings & Other Structures			639,344	639,344	327,875	(311,469)	
Furniture, Fittings & Equipment			0	0	172,900	172,900	
Improvements			176,831	176,831	602,700	425,869	
Plant & Equipment			88,925	88,925	292,500	203,575	
						0	
<b>TOTAL ***</b>		<b>0</b>	<b>905,100</b>	<b>905,100</b>	<b>1,395,975</b>	<b>490,875</b>	



**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:** Ingrid Stonhill

Transaction Date	Amount \$	Supplier's Name	Reason for the Transaction
11-May-23	60.8	RIVER BLEU PTY LTD KATHERINE NT	Staff morning tea
9-May-23	15.63	WOOLWORTHS 5636 KATHERINE AUS	EMIS catering
5-May-23	140	SP LITTLE FLOWER SHO BRISBANE CITQLD	Consultant
1-May-23	3800	PAYPAL *LGMA QLD LGMA 4029357733 AUS	CEO Professional Development
<b>Total</b>	<b>4,016.43</b>		

## 14.8 REPORT OF THE COMMUNITY SERVICES DEPARTMENT FOR THE MONTH OF MAY 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 - JUNE/179519

**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 May 2023.

### PURPOSE OF REPORT

To provide an overview of the Community Services Department for the month of May 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*

Activity		Totals
Patron Count		1966
Public Computer Use (Hours)		315
Conference Room (hours)		50
Circulations		1430
New Memberships		0
Programs	Number of Programs	Attendance
Toddler Rhyme Time	1	8
Storytime	1	13
Wriggle and Rhyme	1	18
Miscellaneous	3	15

The Katherine Public Library is currently operating reduced children's programming due to a vacancy within the Programs Coordinator position. This is affecting delivery of Toddler Rhyme Time, Storytime, Wriggle and Rhyme and Book Warriors. All other programs and activities are unaffected. Council is currently undertaking recruitment to this position.

## VISITOR SERVICES

The visitor information service continues to provide information and booking services to customers with a change to dry season operating hours from May (8.30am – 5.00pm, Monday to Sunday). We continue to see a steady increase of visitors to town.

## COMMUNITY EVENTS AND ENGAGEMENT

### Events:

#### *6<sup>th</sup> May – Clean up Australia Day (Rescheduled)*

Council saw low attendance at the rescheduled event, noting several larger events occurring at the same time. Council will look to realign this event to standard date (1<sup>st</sup> Sunday in March) for 2024.

#### *18<sup>th</sup> May – Food Collective (series commencement)*

*Well attended event (300+) with 4 stall holders in attendance. The series will continue fortnightly until 27<sup>th</sup> July 2023.*

#### *23<sup>rd</sup> – 26<sup>th</sup> May – Inside Out Project (Photo Booth)*

First stage collaboration with GYRACC and Activate Katherine (NTG) to collate photographs for review, selection and printing (Estimated installation mid-July)

#### *27<sup>th</sup> May – Band of the 1<sup>st</sup> Brigade – Free Concert Performance – Katherine Town Square*

#### *30<sup>th</sup> May – Clyde Fenton School Excursion – Learning About Local Government*

Katherine Town Council hosted students from Clyde Fenton Primary School, providing an overview of Councils services, including a tour of Council facilities.

## REGULATORY SERVICES

### ***Regulatory Animal Summary***

Council Rangers received 47 animal related service requests for the month of May. 37 of these requests were resolved and 10 requests require further follow-up to complete.

Katherine community members reported 25 dogs at large. Concurrently the rangers undertook 70 hours of animal patrols for the month.

A total of 7 infringements were issued to dog owners. 12 Notice to Complies (NTC) were issues for unregistered dogs.

For the month of May, a total of 9 dogs were impounded. 7 of these dogs were returned to their owners and 2 were rehomed.

### ***Regulatory Parking Summary***

Rangers undertook 50 hours of parking patrols for the month of May. There was a total of 10 abandoned vehicles processed for the month of March. 1 vehicle was removed by the owner, and a further 9 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 / Illegal Dumping Summary***

Council continues to see an increase in overgrown allotments and illegal dumping issues with 14 service requests received for the month of May. Council Rangers are addressing these requests with 7 items currently ongoing.

**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.

## 14.9 INFRASTRUCTURE AND ENVIRONMENT REPORT FOR THE MONTH OF MAY 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 - JUNE/179538

**AUTHOR** : BRENDAN PEARCE, DIRECTOR INFRASTRUCTURE AND ENVIRONMENT

**AUTHORISER** : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

**ATTACHMENT/S** : NIL

### OFFICER RECOMMENDATION

That the Operations report of the Infrastructure and Environment Department for the month of May 2023 be received and noted.

### PURPOSE OF REPORT

To inform Elected Members of tasks, activities and projects undertaken by the Infrastructure and Environment Department during the month of May 2023.

### STRATEGIC PLAN

Priority One	Strong Leadership	Enhance Customer Experiences	Continually improve services and our tourism offerings
Priority Two	Community and Families	Safe Community	Provide safe and accessible public amenities throughout Katherine
Priority Three	Sports and Civic Events	Activation and Revitalisation	Provide more drinking water access
Priority Seven	Environmental Sustainability	Waste Management	Implement a Council-led recycling initiative that inspires the community

### BACKGROUND

Katherine Town Council's Infrastructure and Environment Department continues to undertake works to maintain Council's infrastructure and environment and provide core services within the Katherine Municipality.

The following is a summary of progress of key activities and achievement for the month.

### 2022/23 Reseal Program

Reseals have been completed to sections of the following Roads and Streets:

Pearce Street, First Street including indented carpark areas, Second Street, Third Street, Novis Quarry Road, Binjari Access Road, Binjari Internal Road and Riverbank Drive.

Reseal Preparation works are being undertaken on Novis Quarry Road, Shadforth Road, Gorge Road Uralla Road and the Waste Management Facility internal road in readiness for the sealing contractor in late June 2023.

### Kerb-side Recycling Trial

New 240 litre recycling bins (yellow topped lid) have been delivered to all properties within the trial area. The first collection of these recycling bins will occur on Wednesday 21 June 2023.

The trial will involve the collection of a second 240 litre recycling bin (yellow topped lid) at each residence on a fortnightly basis. Items that may be recycled include:

- aluminium and steel tins and cans
- empty aerosol cans
- aluminium foil – scrunch into a tennis size ball before it goes in
- glass bottles and jars – leave lids and labels on
- plastic bottles: soft-drink, water, juice, milk – leave lids and labels on
- plastic food containers: tubs, biscuit and meat trays (no polystyrene trays), fruit punnets
- plastic containers for cleaning products: laundry detergent, dishwashing liquid, shampoo, conditioner, hand and body wash, disinfectant – these need to be empty
- newspapers, magazines and advertising materials – remove plastic wrapping
- letters and envelopes – even those with clear plastic windows
- cardboard boxes including egg cartons and empty and oily pizza boxes

The recycling bins will be collected by MT Bins and compliments a similar service that they will be providing for Defence houses at Tindal.

### Lindsay Street Car Park Upgrade including Potable Water refilling Station

The new potable water station has been ordered. The initial site clearing of vegetation and grass has been completed.

### Solar Powered Lighting Trailer

Council has been successful in winning grant funding through the Department of the Chief Minister and Cabinet Safer Places Program to purchase a new solar powered lighting trailer. The trailer features:

- 8.2m vertical telescopic mast
- 4 X 100W LED floodlights
- 3 X 400W solar panels with sliding guides
- illumination covering 2800sqm.

The trailer will be able to be moved to hot spots as identified. The trailer will be located at locations identified through collaboration with groups addressing anti-social behaviour in Katherine such as the Big Rivers Region Coordination Committee sub-committee and the Katherine Community Safety Response Group.

#### Adventure Park Toilet Block

The building contractor has finished off the building installation including the provision of sensor lighting, baby change tables and amenities signing. Alterations to fencing and parking areas and associated landscaping continues.

#### EV Charging Station

Council staff are progressing this work with representatives from NRMA with a signed Letter of Intent having been returned to them. The signing of this letter does not create or hold any obligations on Council to the NRMA but allows them some assurance to keep progressing the drafting of detailed site plans and commencing approval process for power connections etc.

#### Strategic Regional Environmental and Baseline Assessments for the Beetaloo Sub-basin (SREBA).

The final Regional Report for the SREBA has been presented to the Beetaloo Regional Reference Group. The SREBA includes baseline studies in the six domains of:

- Water Quality and Quantity
- Aquatic Ecosystems
- Terrestrial Ecosystems
- Methane and Greenhouse Gas
- Environmental Health, and
- Social, Culture and Economic

The SREBA studies also incorporate information from other studies, most notably the Australian Government's Geological and Bioregional Assessment (GBA) Program.

The SREBA was undertaken as part of the recommendations of the Scientific Inquiry into Hydraulic Fracturing in the Northern Territory.

#### Katherine Civil Airport - Taxiway Echo temporary shutdown

The Project Managers for the RAAF Base Tindal Upgrade have advised that as part of their program of works, there will be a temporary closure and diversion of Taxiway Echo for the period 23 June – 4 July 2023 inclusive. Alternative arrangements have been made for operators of larger aircraft (e.g. Air North, Careflight and CivPol (Police)) to utilise the RAAF apron on the opposite of the runway. All passenger movements will continue through the civil terminal building with a connecting shuttle bus to the RAAF apron.

All lighter General Aviation (GA) aircraft can utilise the existing civil apron and parking areas via the temporary diversion track.



**CONSULTATION PROCESS**

Consultation has occurred with a range of identified stakeholders in the planning and delivery of the above projects.

**POLICY IMPLICATIONS**

Nil

**BUDGET AND RESOURCE IMPLICATIONS**

Operational tasks and Capital Projects are completed within Council's 2022/23 adopted budget and/or Grant Funding agreements.

**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.

**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 - JUNE/179517

**AUTHOR** : AMANDA HAIGH, EXECUTIVE AND GOVERNANCE OFFICER

**AUTHORISER** : INGRID STONHILL, CHIEF EXECUTIVE OFFICER

**ATTACHMENT/S** : NIL

#### OFFICER RECOMMENDATION

- That Council receive and note the Elected Member activities for May 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 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

Councillor Madeleine Bower	
Date	Activity attended
6 May	Rescheduled Clean Up Australia Day
23 May	Ordinary Meeting of Council

Councillor Amanda Kingdon	
Date	Activity attended
2 May	Chaired Showgrounds Advisory Committee
6 May	Rescheduled Clean Up Australia Day
6 May	CDU Open Day
22 May	Elected Member Information Session
23 May	Ordinary Meeting of Council
26 May	National Healing Day Wurli-Wurlinjang at Museum
31 May	Clyde Fenton 5/6 excursion

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

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### **RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 99(2) of the Local Government Act 2008:

#### **20.1 CONFIRMATION OF PREVIOUS CONFIDENTIAL MINUTES**

This matter is considered to be confidential under Section 99(2) - a and ciii 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 and information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff.

**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 25 July 2023.

**23 CLOSURE OF MEETING**