



MINUTES

**Ordinary Meeting of Council
Held on Tuesday 27 May 2025**

Civic Centre, Council Chambers
24 Stuart Highway, Katherine NT 0850

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 OPENING OF THE MEETING

Mayor Clark declared the Ordinary Meeting of Council - 27 May 2025 open at 12:00 pm.

4 ATTENDANCE

4.1 PRESENT

ELECTED MEMBERS

- Mayor Elisabeth Clark (Chair)
- Deputy Mayor Denis Coburn
- Councillor Maddy Bower
- Councillor Amanda Kingdon - via video conference
- Councillor Peter McDougall
- Councillor Kerrie Mott
- Councillor Jeremy Trembath

OFFICERS

- Ms Ingrid Stonhill – Chief Executive Officer
- Amanda Haigh – Manager Governance and Risk (Minute Taker)
- Rhett English – Manager Strategic Priorities, A/Manager Community Relations
- Brett Kimpton – Manager Environment and Municipal Services
- Casey Anderson – Manager Corporate Administration
- Desiree Rodgers – Manager Finance
- Irene McCreevy – Manager People and Culture
- Matt Arnott – Manager Projects Portfolio
- Kimberly Worrigal - Contracts Coordinator
- Staff x 3

PUBLIC - 7

4.2 APOLOGIES

Nil

4.3 LEAVE OF ABSENCE



Nil

5 DECLARATION OF INTEREST

The Chair reminded members of their responsibility to declare any conflicts of interest.

Nil conflicts declared.

6 PRESENTATIONS FROM EXTERNAL AGENCIES

UNCONFIRMED

7 CONFIRMATION OF PREVIOUS MINUTES

7.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL 22 APRIL 2025

COUNCIL RESOLUTION OMC-2025-107

Moved: Deputy Mayor Coburn; **Seconded:** Councillor Trembath

That Council confirm the minutes of the Ordinary Meeting of Council held on 22 April 2025 as a true and accurate record.

CARRIED 6|1

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor McDougall, Councillor Mott and Councillor Trembath

AGAINST: Councillor Kingdon

7.2 MINUTES OF THE SPECIAL MEETING OF COUNCIL 14 MAY 2025

COUNCIL RESOLUTION OMC-2025-108

Moved: Councillor McDougall; **Seconded:** Councillor Trembath

That Council confirm the minutes of the Special Meeting of Council held on 14 May 2025 as a true and accurate record.

CARRIED 5|2

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor McDougall and Councillor Trembath
AGAINST: Councillor Kingdon and Councillor Mott

Discussion

Noted that Councillor Mott was not in attendance at the meeting.

8 BUSINESS ARISING FROM PREVIOUS MINUTES

8.1 ACTION UPDATE

COUNCIL RESOLUTION OMC-2025-109

Moved: Councillor McDougall; **Seconded:** Councillor Trembath

That Council receive and note the Action update.

CARRIED 7|0

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor Kingdon, Councillor McDougall, Councillor Mott and Councillor Trembath
AGAINST: Nil

Discussion

Request for further information on the Action 28 January 2025 Financial Report that hasnt been started.

9 MAYORAL BUSINESS

9.1 MAYOR ACTIVITIES APRIL 2025

COUNCIL RESOLUTION OMC-2025-110

Moved: Councillor Trembath; **Seconded:** Councillor Bower

That Council receive and note the Mayoral activities for April 2025.

CARRIED 7|0

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor Kingdon, Councillor McDougall, Councillor Mott and Councillor Trembath

AGAINST: Nil

Discussion

DMP - is the Tourism Destination Management Planning meetings with focus on the drive tourism.

16 April 2025- interview by a student, who is doing her PHD, about local government, council and governance in general.

Minster Boothby breakfast for tourism, a get together for the start of the tourist season.

Police meeting advised of staffing issues, police will be wearing hi-vis vests, 15 new police coming to Katherine and building more partnerships with indigenous groups in Katherine.

10 CORRESPONDENCE AND DOCUMENTS

10.1 CORRESPONDENCE INCOMING APRIL 2025

COUNCIL RESOLUTION OMC-2025-111

Moved: Deputy Mayor Coburn; **Seconded:** Councillor Trembath

That Council receive and note the Incoming Correspondence:

- Attachments:
1. Letter - Minister LPE - Public exhibition notice - NTP 6794 Florina Road - 11 March 2025 - ID230697 [**10.1.1** - 1 page]
 2. Letter - CMC - Dissolution of the Big Rivers Regional Economic Growth Committee - 16 Apr 2025 - ID231539 [**10.1.2** - 1 page]
 3. Letter - Minister Burgoyne - Public exhibition notice - NTP 5412 Cossack - 16 Apr 2025 - ID231584 [**10.1.3** - 1 page]
 4. Email - Jo Hersey - Katherine Street Party 2025 - 4 May 2025 - ID232036 [**10.1.4** - 3 pages]

CARRIED 7|0

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor Kingdon, Councillor McDougall, Councillor Mott and Councillor Trembath

AGAINST: Nil

Discussion

Noted no further correspondence regarding the consultative arrangement to deliver the Rebuilding the Economy Strategy with the dissolution of the Big Rivers Regional Economic Growth Committee nor indication of timing.

10.2 CORRESPONDENCE OUTGOING APRIL 2025

COUNCIL RESOLUTION OMC-2025-112

Moved: Councillor Bower; **Seconded:** Deputy Mayor Coburn

That Council receive and note the Outgoing Correspondence:

- Attachments:
1. Letter - M Scrymgour - Katherine Aquatic Centre Proposed Stage 2 Works - 7 Apr 2025 - ID232620 [**10.2.1** - 1 page]
 2. Letter - Member for Katherine - Re email regarding Street Party and funding - 7 May 2025 - ID232044 [**10.2.2** - 1 page]
 3. Letter - Member for Katherine - re Multiculture Multipurpose facility - 19 May 2025 - ID23608 [**10.2.3** - 1 page]

CARRIED 7|0

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor Kingdon, Councillor McDougall, Councillor Mott and Councillor Trembath
AGAINST: Nil

Discussion

Acknowledged the letter regarding the proposed stage 2 of the Aquatic Centre and great to see this progress in the pipeline of projects. Request to circulate the stage 2 information to elected members again.

Request to seek clarification of the \$1.5mill multipurpose multicultural centre election promise by Minister Jo Hersey.

11 PETITIONS

12 PUBLIC QUESTION TIME (MATTERS REFERRED TO THE AGENDA)

Questions from the Gallery at the Ordinary Meeting of Council - 27 May 2025

Moved: Councillor Trembath **Seconder:** Deputy Mayor Coburn

Question	Response
Asked to elaborate on the multicultural multipurpose election promise noting did not recall this election promise?	Minster Hersey has advised it is for the old Mabuhay Social hall facility on Giles Street.
Questioned why the letter to Marion Scrymgour was signed by the CEO and not the Mayor?	Mayor was on leave at the time
Questioned if lockable facilities to safely lock up bikes had been considered on the Shared Pathway Strategy?	Acknowledged a great idea and suggestion. Encouraged to include in a submission when consultation on the strategy is undertaken.
Thanked for the results of the confidential minutes providing the outcomes	Mayor noted this is regular when each completed.
Raised the release of gas pipeline infrastructure corridor and requested council to find out what is going on	Council have not been informed and will follow up.

13 NOTICE OF MOTION

14 REPORTS OF OFFICERS

14.1 LGANT NOMINATION FOR EXTERNAL REPRESENTATIVE COMMITTEES

COUNCIL RESOLUTION OMC-2025-113

Moved: Councillor McDougall; **Seconded:** Councillor Trembath

1. That Council approve the nomination of Councillor Peter McDougall for the Local Government Association of Northern Territory Representative to the Ministerial Advisory Council on Multicultural Affairs.
2. That Council approve the nomination of Councillor Peter McDougall for the Local Government Association of Northern Territory Representative to the NT Place Names Committee.

CARRIED 6|1

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor McDougall, Councillor Mott and Councillor Trembath
AGAINST: Councillor Kingdon

Discussion

Council noted that it was odd requesting nominations with the term of Council ending in three months time.

Councillor Peter McDougall nominated himself for the NT Place Names Committee, seconded by Councillor Trembath.

Councillor Trembath nominated Councillor Peter McDougall for the Ministerial Advisory Council of Multicultural Affairs, seconded by Deputy Mayor Coburn.

14.2 SIGNS CODE POLICY - PUBLIC CONSULTATION

COUNCIL RESOLUTION

Moved: Councillor Trembath; **Seconded:** Deputy Mayor Coburn

That Council endorse and adopt the Signs Code Policy.

No Voting Occurred

Discussion

A handout on offensive signage was provided, to be emailed to Councillor Kingdon.

Councillor Trembath proposed a new motion to be included and read out the motion.

COUNCIL RESOLUTION

Moved: Councillor Trembath; **Seconded:** Deputy Mayor Coburn

That Council move to discuss, vote on, and resolve the following item:

1. Recommendation to adopt the definition of "Offensive Sign" into the Signs Code, as outlined below:

An "Offensive Sign" is defined as any sign that may reasonably be expected to cause offence due to its design, location, content, or messaging. Offensive content includes, but is not limited to, material that is

obscene, indecent, discriminatory, abusive, or otherwise likely to cause serious or widespread offence to a reasonable member of the public.

Examples of offensive content may include:

- Misleading or intimidating language, particularly content that mimics legal or official language in a way that may confuse or intimidate the public, including government employees or service providers.
- Obscene or profane language or imagery
- Sexually explicit or suggestive content
- Racial, religious, or gender-based slurs or hate speech
- Content that incites or promotes violence, hatred, or discrimination
- Abusive, threatening, or intimidating language
- Inappropriate or disrespectful use of national symbols, cultural icons, or sacred imagery

This definition applies to all types of signage across all zones within the Katherine Municipality, including those that are otherwise classified as exempt or complying signs under relevant planning or advertising regulations.

No Voting Occurred

Discussion

The addition is to set a community standard not to accept any offensive signage. Noted the borderline Australian Advertising Regulation's and provide an acceptable benchmark placing more controls in place to ensure signage does not intimidate the public.

Councillor Mott proposed to lay the report on the table concerned that putting more rules in place if disagree with the signage.

COUNCIL RESOLUTION OMC-2025-114

Moved: Councillor Mott; **Seconded:** Councillor McDougall

That Council lay the report on the table.

CARRIED 5|2

FOR: Mayor Clark, Councillor Bower, Councillor McDougall, Councillor Mott and Councillor Trembath
AGAINST: Deputy Mayor Coburn and Councillor Kingdon

Discussion

More time required to consider the new additional information required.

14.3 SHARED PATHWAYS STRATEGY DRAFT – COMMUNITY ENGAGEMENT COMMENCEMENT

COUNCIL RESOLUTION OMC-2025-115

Moved: Deputy Mayor Coburn; **Seconded:** Councillor Trembath

That Council notes the planned commencement of community engagement activities in June 2025 for the Katherine Shared Pathways Strategy 2025–2035.

CARRIED 6|1

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor McDougall, Councillor Mott and Councillor Trembath

AGAINST: Councillor Kingdon

14.4 PROPOSED LEGISLATIVE AMENDMENTS TO THE LOCAL GOVERNMENT ACT 2019

COUNCIL RESOLUTION OMC-2025-116

Moved: Councillor McDougall; **Seconded:** Councillor Trembath

That Council receive and note the report on the consultation of the proposed Tranche 2 amendments to the Local Government Act 2019.

CARRIED 7|0

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor Kingdon, Councillor McDougall, Councillor Mott and Councillor Trembath
AGAINST: Nil

Discussion

Noted the public also place a submission can access on NTG Have your say and also councils Your Say Katherine

14.5 FINANCE REPORT APRIL 2025

COUNCIL RESOLUTION OMC-2025-117

Moved: Deputy Mayor Coburn; **Seconded:** Councillor McDougall

That Council endorses the Finance Report for the Month of April 2025.

CARRIED 6|1

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor Kingdon, Councillor McDougall and Councillor Trembath
AGAINST: Councillor Mott

Discussion

Noted received funds for insurance from the mold for book replacement and council to make a resolution. Books will need to be replaced like for like but some are not replaceable. Suggestion to consult through Your Say Katherine if any money remaining on the type of books the community would want purchased.

14.6 COMMUNITY RELATIONS REPORT FOR THE MONTH OF APRIL 2025

COUNCIL RESOLUTION OMC-2025-118

Moved: Councillor Bower; **Seconded:** Councillor Trembath

That Council receive and note the Community Relations Department report for the month of April 2025.

CARRIED 7|0

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor Kingdon, Councillor McDougall, Councillor Mott and Councillor Trembath
AGAINST: Nil

14.7 CORPORATE ADMINISTRATION REPORT FOR THE MONTH OF APRIL 2025

COUNCIL RESOLUTION OMC-2025-119

Moved: Councillor Trembath; **Seconded:** Deputy Mayor Coburn

That Council receives and note the Corporate Administration Report for the month of April 2025.

CARRIED 7|0

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor Kingdon, Councillor McDougall,
Councillor Mott and Councillor Trembath

AGAINST: Nil

Discussion

Raised the impact of facility vandalism on council insurance. Insurance can only be claimed if above a threshold, most vandalism repairs are using operational funds.

Noted due to the proactive regulatory service approach and more accurately recording of service requests resulting in an increase in incidents recorded. Over the reporting period saw an increase in bins vandalised and missed collections reported.

14.8 ENVIRONMENTAL SERVICES REPORT MONTH OF APRIL 2025

COUNCIL RESOLUTION OMC-2025-120

Moved: Deputy Mayor Coburn; **Seconded:** Councillor McDougall

That Council receive and note the report of the Environmental Services Department for April 2025.

CARRIED 7|0

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor Kingdon, Councillor McDougall,
Councillor Mott and Councillor Trembath

AGAINST: Nil

Discussion

Typo on page 127 - EV charger station should read used 46 times.

Confirmed the Waste Management Facility sampling equipment has been repaired, used today and reporting is up to date.

Congratulated and thanks the staff who maintain the Cenotaph noting the area is looking really great and job well done. K Town Markets also provided positive feedback on the site being well maintained and very suitable for holding the markets. c

Request information on who is responsible for the condition of the race track and the railing.

Noted no further sightings of the crocodile in the Hot Springs.

14.9 INFRASTRUCTURE AND PROJECTS REPORT FOR THE MONTH OF APRIL 2025

COUNCIL RESOLUTION OMC-2025-121

Moved: Councillor Bower; **Seconded:** Deputy Mayor Coburn

That Council receive and note the report of the Infrastructure Services Department for April 2025.

CARRIED 7|0

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor Kingdon, Councillor McDougall,
Councillor Mott and Councillor Trembath

AGAINST: Nil

Discussion

Aquatic Centre still on track to open as planned before the wet season. The splash zone is back on track to

being incorporated in the project and will be finished ready for the opening.

Compliments on the entry sign at the Hot Springs incorporating kriol.

15 REPORTS FROM COMMITTEES

15.1 MINUTES FROM COMMITTEES

16 ELECTED MEMBER ACTIVITIES

16.1 ELECTED MEMBER ACTIVITIES APRIL 2025

COUNCIL RESOLUTION OMC-2025-122

Moved: Councillor McDougall; **Seconded:** Deputy Mayor Coburn

That Council receive and note the Elected Member activities for April 2025.

CARRIED 7|0

FOR: Mayor Clark, Deputy Mayor Coburn, Councillor Bower, Councillor Kingdon, Councillor McDougall,
Councillor Mott and Councillor Trembath
AGAINST: Nil

Discussion

Cr Mott apologised for not submitting activities due to mobile/data coverage over the last month in areas where normally has coverage.

17 LATE AGENDA

18 GENERAL BUSINESS

Commended the contractor responsible for main street maintenance doing a phenomenal job and also going beyond the call of duty deflecting unruly social behaviour.

Thanked the community for supporting Dolly's Dream day on the 9 May, great to see an increase in support.

Request Council to follow up on the NTG infrastructure Corridor proposal and request a meeting from the relevant Minister or at least a representative to provide detailed information required to keep the community informed.

Noted the Showgrounds and tennis facilities are looking terrific, noting the new stone work worked well for mobility chair.

National Sorry day was yesterday for stolen generations.

This week is Reconciliation week.

Today Minister Yan budget roadshow at GYRACC 3-5 pm.

Request for more tree planting in showgrounds.

Junk Festival this Saturday 5pm at the Speedway.

6-9 June Barunga festival

19 CLOSURE OF MEETING TO PUBLIC

The open meeting was declared closed to the public at 12:58 pm.

COUNCIL RESOLUTION

Moved: Mayor Clark; **Seconded:** Deputy Mayor Coburn

Members, pursuant with Section 99(2) and 293(1) of the *Local Government Act 2019* gives power to the council to close a meeting to the public to discuss the following confidential items, in relation to matters referred to in regulations 51 of the *Local Government (General) Regulations 2021*. This means that all members of the public are now asked to leave the Council Chambers.

I now move a motion to close the meeting to public.

Your Worship, I wish to second that the meeting be closed to public.

20 CONFIDENTIAL ITEMS

20.1 CONFIRMATION OF PREVIOUS CONFIDENTIAL MINUTES 22 APRIL 2025

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(c) (i) information that would, if publicly disclosed, be likely to: cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(d) information subject to an obligation of confidentiality at law, or in equity.

COUNCIL RESOLUTION OMC-2025-123

Moved: Councillor McDougall; **Seconded:** Councillor Trembath

2. That Council release item 20.6 resolution to the open minutes - OMC-2025-101 - That Request for Quotation T24/04 – First Street Loading Bay Access Upgrade be awarded to Clare Construction Pty Ltd. at their submitted schedule of rates price of \$298,893.31 (GST exclusive). CARRIED 5|1

CARRIED 6|1

20.2 MINUTES OF THE CONFIDENTIAL SPECIAL MEETING OF COUNCIL 14 MAY 2025

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(c) (i) information that would, if publicly disclosed, be likely to: cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(c) (iv) information that would, if publicly disclosed, be likely to:

	Subject to subregulation (3) – prejudice the interests of the council or some other person.
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20.3 CONFIDENTIAL BUSINESS ARISING FROM PREVIOUS MINUTES

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(c) (i) information that would, if publicly disclosed, be likely to: cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(c) (iv) information that would, if publicly disclosed, be likely to: Subject to subregulation (3) – prejudice the interests of the council or some other person.

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(d) information subject to an obligation of confidentiality at law, or in equity.

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(e) subject to subregulation (3) – information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest

20.4 PROPOSED COMMERCIAL LEASE AGREEMENT

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(c) (i) information that would, if publicly disclosed, be likely to: cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(d) information subject to an obligation of confidentiality at law, or in equity.

20.5 KATHERINE AQUATIC CENTRE UPGRADE - PROJECT UPDATE

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(c) (i) information that would, if publicly disclosed, be likely to: cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

20.6 RELOCATION OF THE KATHERINE PUBLIC LIBRARY AND VISITOR INFORMATION CENTRE

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(d) information subject to an obligation of confidentiality at law, or in equity.

20.7 NOTICE OF MOTION - CODE OF CONDUCT PROCESS FAILURE, UNFAIR SANCTION AND PENALTIES - COUNCILLOR AMANDA KINGDON

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(e) subject to subregulation (3) – information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(f) subject to subregulation (2) – information in relation to a complaint of a contravention of the code of conduct.

COUNCIL RESOLUTION OMC-2025-129

Moved: Councillor Mott; **Seconded:** Councillor McDougall

1. That Council reject the Notice of Motion submitted by Cr Kingdon.
2. That Council move the resolution, report and Notice of Motion to the open meeting minutes.

CARRIED 6|1

FOR: Councillor Bower, Deputy Mayor Coburn, Mayor Clark, Councillor McDougall, Councillor Mott and Councillor Trembath
AGAINST: Councillor Kingdon

21 RESUMPTION OF OPEN MEETING

The open meeting resumed at 1:56 pm.

22 CLOSURE OF THE MEETING

The Ordinary Meeting of Council - 27 May 2025 was declared closed at 1:56 pm.

The next Ordinary Meeting of Council will be held on 17 June 2025.

20.7 NOTICE OF MOTION - CODE OF CONDUCT PROCESS FAILURE, UNFAIR SANCTION AND PENALTIES - COUNCILLOR AMANDA KINGDON

Author: Ingrid Stonhill, Chief Executive Officer
 Authoriser: Ingrid Stonhill, Chief Executive Officer
 Report Type: For decision
 Attachments: 1. Notice of Motion - without notice Confidential April 2025 [20.7.1 - 2 pages]
 2. Policy- Breach-of- Code-of- Conduct KTC by Mayor [20.7.2 - 7 pages]
 3. Letter to Katherine Town Council from Maley's Lawyer [20.7.3 - 2 pages]
 4. guideline 7 procedural-fairness-deciding-code-of-conduct-complaints [20.7.4 - 3 pages]

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(e) subject to subregulation (3) – information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest

Section Under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 99(2) of the <i>Local Government Act 2019</i> .
Sub-clause and Reason:	(f) subject to subregulation (2) – information in relation to a complaint of a contravention of the code of conduct.

Officer Recommendation

1. That Council reject the Notice of Motion submitted by Cr Kingdon.
2. That Council move the resolution, report and Notice of Motion to the open meeting minutes.

Purpose of Report

To present the Notice of Motion – Code of Conduct process failure/ unfair sanction and Penalties from Councillor Amanda Kingdon to Council for consideration.

Strategic Plan

1. STRONG LEADERSHIP - 1.1 Strong Leadership - Lead a strong local democracy with a community that is actively engaged in Katherine's strategic direction.

1.1.1 Strengthen our councillor profiles to increase community awareness of who they are.

Not Applicable

Municipal Plan

1.1.2.2 Ensure compliance with local government legislation

Background

Cr Kingdon submitted a Notice of Motion on 22 April 2025 11:45 am prior to the Ordinary Meeting of Council held on Tuesday, 22 April 2025. The Notice of Motion was received outside the prescribed process and timeframe.

The Notice of Motion is requested by Councillor Kingdon to be tabled as Confidential.

The Notice alleges that the Council engaged in procedural unfairness and breached the Council's Code of Conduct, specifically concerning informal meetings, sanctions imposed on Cr Kingdon, and her subsequent removal from representative duties and committees.

This report constitutes the Council's formal response to these allegations and aims to ensure that the procedural record is accurately documented.

Discussion

The proposed Notice of Motion:

1. That Katherine Town Council acknowledge there has been a failure in following procedural fairness guidelines and Council's own policies. That all sanctions and penalties against Cr Amanda Kingdon be retracted and rescinded, effective immediately.
2. That a letter be issued to Minister of Local Government to state this failure and how this lack of procedural fairness has impacted the role and responsibilities of a highly motivated Elected Member that is a representative voice for the Community. That the lack of procedural fairness has caused unnecessary stress and anxiety that has contributed to a dysfunctional team of Council.
3. A public apology made by CEO and Mayor of Katherine Town Council for the unnecessary stress and anxiety caused to an Elected Member and Town Council staff.
4. That Cr Amanda Kingdon be reinstated to the advisory committees of Council.
5. That Cr Amanda Kingdon receive calendar invites to all official Council events, Audit committee and advisory committee meetings, to enable equal representation when making informed decisions of Council, and participating in Council community events, without feeling excluded.

The Notice of Motion has been tabled as per the request of Cr Kingdon as confidential using S51 (1) (e) subject to sub regulation (3) – information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest.

S51 (3) Information mentioned in sub regulation (1)(c)(iv) and (e) does not prejudice the interests of the council or some other person or is not contrary to the public interest if the information, if publicly disclosed, only causes:

- (a) embarrassment to the council, members or the council's staff; or
- (b) a loss of confidence in the council; or
- (c) discussion of a matter that is controversial in the council area; or
- (d) the council to be susceptible to adverse criticism.

The Notice of Motion is considered to not meet the Confidential reasons as required under S51 of the Local Government General Regulations 2021 due to the resolution on the Code of Conduct and Sanctions being released to the public at the Council meeting 22 April 2025, and is therefore considered under S51 (3) Information mentioned in sub regulation (1)(c) (e) does not prejudice the interests of the council or some other person or is not contrary to the public interest if the information, if publicly disclosed, only causes:

- (a) embarrassment to the council, members or the council's staff; or
- (b) a loss of confidence in the council; or
- (c) discussion of a matter that is controversial in the council area; or
- (d) the council to be susceptible to adverse criticism.

S51 (1) (f) subject to sub regulation (2) – information in relation to a complaint of a contravention of the code of conduct has also been used as a confidential reasoning although S51 (2) For sub regulation (1)(f), the following information is no longer confidential after the complaint has been decided:

- (a) a decision notice in relation to the complaint;
- (b) a report of proceedings or findings of the complaint including a summary of decision under regulation 80 or 81.

The Council's formal response to these allegations:

1. Allegation of Procedural Fairness Failure

Claim: That procedural fairness and the Council's own Code of Conduct policy were not followed during the

informal meeting held at the Civic Centre on Monday 19 February 2024.

Response:

Council refutes the allegation that procedural fairness was denied. The matter was addressed during an Elected Members Information Session (EMIS) held on Monday 19 February 2024, in accordance with Section 4.1 of the *Elected Member Breach of Code of Conduct Policy*. This section provides that, in response to a potential Code of Conduct complaint, the Mayor (or Deputy Mayor) may engage in informal discussions with the relevant parties, as appropriate. This approach is intended to support the informal resolutions of matters prior to the initiation of any formal process. The Mayor facilitated a discussion among elected members regarding Cr Kingdon's conduct concerns.

Cr Kingdon was:

- Informed of the concerns,
- Provided the opportunity to respond, and

Cr Kingdon then:

- Acknowledged the conduct at issue.
- Voluntarily agreed to the proposed consequences at the conclusion of the session.

Cr Kingdon voluntarily left the room while fellow councillors considered the appropriate way forward, and upon return, the proposed consequences were communicated to her. Cr Kingdon indicated agreement with those outcomes at the time. Based on this agreement, no formal complaint was lodged, and thus, Section 4.3 (requiring statutory declarations) and Section 4.6 (formal consideration by Council) were not triggered.

The agreed consequences were later ratified by a formal Council resolution, making the process procedurally compliant under both Council policy and the *Local Government Act 2019*.

2. Confidential Meeting and Safety Concerns – 23 July 2024

Claim: That a Code of Conduct breach and confidentiality concern were improperly handled.

Response:

The Confidential Meeting section of Ordinary Meeting of Council held on Tuesday 23 July 2024, Item 20.4 outlined the informal process council followed to address the Code of Conduct Breach and confirmed the sanctions placed on Councillor Kingdon. The resolution of the council item 20.4 was to release the information from the Council Confidential section to the public, as prescribed under Section 51 of the Local Government (General) Regulations 2021. This unevidenced allegation has not been stated previously, and Council does not accept this.

3. No Trespass Order and Alleged Harm to Councillor

Claim: That the No Trespass Order caused unnecessary stress and should be rescinded.

Response:

The No Trespass Order was not a disciplinary penalty, but a risk management measure taken in response to repeated conduct concerns affecting the safety of Council chambers. It was lawfully issued under Council's responsibility to ensure a safe working environment for elected members and staff. It followed an incident where Cr Kingdon refused to comply with directions to leave the chamber and had previously caused disruption and fear among members. The Order remains necessary and justified in accordance with applicable legislation and Council policy.

4. Public Apology from CEO and Mayor

Claim: That the CEO and Mayor should issue a public apology for stress and procedural failure.

Response:

Council rejects the request for the issuance of a public apology. There is no substantiated basis for such an apology, no evidence of wrongdoing that would warrant this course of action. Council has acted

consistently with its policy and procedural obligations, and all decisions regarding Cr Kingdon's conduct were based on documented incidents and processed through lawful channels.

Council has a duty to uphold professional standards and to ensure a safe and respectful environment for its staff and elected members. While Council recognises that conflict may cause stress, any such consequences have arisen as a result of the conduct of the elected member in question, not from any procedural failing on the part of Council.

5. Reinstatement to Committees and Council Events

Claim: That Cr Kingdon was unfairly removed from advisory committees and excluded from events.

Response:

Cr Kingdon was removed from committee responsibilities and external representation roles as a direct result of sanctions imposed following the informal decision on Monday, 19 February 2024. These sanctions were communicated in writing and later adopted through a Council resolution on Tuesday, 27 February 2024.

The decision reflected the withdrawal of confidence in Cr Kingdon's ability to represent the Council professionally, particularly on social media and in public forums. The initial sanctions were for 12 months, however as Cr Kingdon continued to breach the social media policy and code of conduct, the Council extended the sanctions until the end of the term of council.

The decision was not discriminatory or exclusionary, but a governance action grounded in loss of confidence and intended to protect the Council's integrity. The sanctions were reviewable after 12 months, however, the behaviours escalated, and the sanctions were extended before the 12-month period was reached. The process, procedure and outcomes were all advised to Cr Kingdon in writing.

Conclusion

Council strongly refutes the assertions made in the Notice of Motion. At all relevant times, Council has adhered to its Code of Conduct Policy, ensured procedural fairness, and acted to protect the integrity and safe functioning of the elected body. Cr Kingdon was afforded multiple opportunities to engage constructively but has instead chosen to challenge decisions that were procedurally valid and necessary and continually share factually incorrect, personal opinions on social media and through unevidenced allegations to government agencies.

Consultation Process

There was no consultation process required for this report.

Policy Implications

Policy / Document	Relevant Clause(s)	Application to Report
Elected Member Breach of Code of Conduct Policy	Section 4.1 – Informal Resolution	Basis for initial handling of conduct matter on 19 Feb 2024 via informal discussion.
	Section 4.3 – Formal Complaint Process	Not triggered due to resolution at informal stage; no statutory declaration submitted.
	Section 4.6 – Initial Council Consideration	Not applicable; complaint not escalated to formal process under 4.3.
	Section 4.9 – Council Decision-Making	Used later to adopt sanctions via formal Council resolution.
Code of Conduct for Elected Members	General Conduct Obligations	Sets behavioural standards relevant to incidents under discussion.
	Section 119 and Schedule 1 (Code of Conduct and Conflicts)	Establishes the Code of Conduct for council members, outlining expected standards of behaviour.
Local Government Act 2019 (NT)		
	Sections 120–124	Provides the framework for handling complaints, including the establishment of the Code of Conduct Panel and procedures for complaint resolution.
Katherine Town Council By Laws 1998 Council Meetings and	Part 7 Division 1-8	Governs the conduct of Council meetings, including submission of motions.

Procedures

Council Resolution OMC-2024-155	Resolution confirming sanctions	Formal endorsement of outcomes following informal process; establishes decision authority.
Mayor Correspondence to Cr Kingdon (19 Feb 2024)	Outlining agreed outcomes of the informal meeting.	Documents sanctions discussed and agreed to during the informal process.

Budget and Resource Implications

Within current service delivery budget and resource.

Risk, Legal and Legislative Implications

There is risk, legal and legislative implications. The Council has had to engage legal advice to combat the multitude of unevidenced and unsubstantiated claims made against the Council. The Councillor has defamed the council and staff and exposed the Council to legal litigation. Submissions are being made to legislative changes.

Environment Sustainability Implications

There are no environmental sustainability implications.

Council Officer Conflict of Interest

I, as the Author and Approving Officer of this report, declare a perceived conflict of interest due to being the subject of prior complaints made by the Elected Member who submitted the Notice of Motion.

This report has been prepared in accordance with Council policy, based on the factual record and applicable governance processes, and with the intent of upholding the integrity of Council's decision-making framework.

While acknowledging the potential perception of conflict, I confirm that this report does not contain personal opinion or commentary beyond the procedural scope required to respond to the Notice of Motion. In preparing this report, I have adhered strictly to Council policy and have sought advice to ensure impartiality and adherence to governance standards.

I recommend that the report be noted and determined by Council with full awareness of this context.

NOTICE OF MOTION

Motion without Notice

Katherine Town Council Ordinary Meeting of Council Confidential Meeting Agenda of 22 April 2025.

Topic: Code of Conduct process failure/unfair Sanction and Penalties

Background:

An Elected Member was issued penalties for an alleged breach of code of conduct in an unofficial meeting of 19 February 2024, (a rushed unminuted panel meeting that decided on a breach of code of conduct, and breach of social media with perceived bias), Special meeting of 23 July 2024 (alleged breach of confidentiality), and a No Trespass Order issued on 1 August 2024 (for refusing to leave the Chamber before a special meeting of Council on 26 July 2024).

As per Katherine Town Council breach of Code of Conduct policy 4.1 states 'A 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.' Note the expert advice does not constitute making recommendations without consulting with all parties.

This section 4.1 was not adhered to, and 4.3 stipulates that an alleged complaint must be in an approved form including a statutory declaration. This did not happen.

Council policy was not adhered to in the above code of conduct complaint. Council policy was not adhered to when Mayor received a complaint of CEO. There were no declared conflicts of interest from any members of Council, CEO or Council Executive staff.

Objective: This motion is to seek acknowledgement of unfair procedural processes that has caused harm to an Elected Member, and caused negative consequences of ongoing conflict within Council and its members. The need to have an independent mediation to resolve conflict in a reasonable and fair manner, following appropriate local government legislation.

Notice of Motion:

1. That Katherine Town Council acknowledge there has been a failure in following procedural fairness guidelines and Council's own policies. That all sanctions and penalties against Cr Amanda Kingdon be retracted and rescinded, effective immediately.

NOTICE OF MOTION

2. That a letter be issued to Minister of Local Government to state this failure and how this lack of procedural fairness has impacted the role and responsibilities of a highly motivated Elected Member that is a representative voice for the Community. That the lack of procedural fairness has caused unnecessary stress and anxiety that has contributed to a dysfunctional team of Council.
3. A public apology made by CEO and Mayor of Katherine Town Council for the unnecessary stress and anxiety caused to an Elected Member and Town Council staff.
4. That Cr Amanda Kingdon be reinstated to the advisory committees of Council.
5. That Cr Amanda Kingdon receive calendar invites to all official Council events, Audit committee and advisory committee meetings, to enable equal representation when making informed decisions of Council, and participating in Council community events, without feeling excluded.


Signature: _____

Amanda Jane Kingdon

Print Name:

Date: 22 April 2025

Office use only

Date received:

To Council meeting: