



Special Meeting of Council Agenda

Tuesday, 16 July 2019

5:30 PM

Council Chambers, Civic Centre,
Stuart Highway, Katherine

Notice of Meeting of Council
Notice is hereby given in accordance with Section 59
of the Local Government Act

1. Welcome to the Country

I am honoured to be on the ancestral lands of Katherine's Aboriginal peoples. I acknowledge the First Australians as the traditional custodians of the continent, whose cultures are among the oldest living cultures in human history. I pay respect to the Elders of the community and extend my recognition to their descendants who are present.

2. Opening Prayer

Grant O God to this Council wisdom, understanding and sincerity of purpose in the Governance of this Municipality. Amen

3. Present

4. Apologies and Leave of Absence

5. Disclosure of Conflict of Interest

6. Reports of Officers

6.1 Participation in Shine Lawyers Katherine Contamination Class Action (PFAS) 1

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7. Meeting Close

KATHERINE TOWN COUNCIL

REPORT

FOLDER: Local Governance / Council Meetings / Agendas
MEETING: SPECIAL MEETING OF COUNCIL – 16 JULY 2019
REPORT TITLE: PARTICIPATION IN SHINE LAWYERS KATHERINE
CONTAMINATION CLASS ACTION (PFAS)

PURPOSE OF THE REPORT

To seek authorisation from the elected members for Council to **not** opt out of the Shine Lawyers Katherine Contamination Class Action (PFAS).

REPORT

Council has received confidential legal advice with respect to Katherine Town Council's potential participation in the Class Action and the potential risks if Katherine Town Council chooses to opt out, with consideration of the good relationship with Defence because of Defence's work in addressing issues to date.

If Katherine Town Council does not remain in the Class Action, Katherine Town Council will have no legal entitlement to require Defence to fix any issues that may arise and will be relying on its relationship with Defence to ensure issues are remedied.

Defence has demonstrated a strong commitment to rectifying the effects of PFAS in Katherine, through being responsive and providing financed solutions to remedy issues.

Katherine Town Council will not be individually responsible for legal costs associated with bring the Class Action and will not have to provide any upfront legal fees. Katherine Town council will not be required to be actively involved in the progression of the proceeding, saving time and resources.

Katherine Town Council is committed and confident in the continuance of its strong working relationship with Defence.

OFFICER RECOMMENDATION**That it be recommended to Council that:**

1. Katherine Town Council does remain in the Class Action to provide for the interests and well-being of individuals and groups within the council area.
2. Council engage with Defence to communicate Katherine Town Council's decision to remain in the Class Action is to support the interests and well-being of individuals and groups in Katherine. Acknowledge the good work Defence has undertaken to date to remedy the impact of PFAS in Katherine and emphasise Katherine Town Council's commitment to support and work with Defence in its endeavours to address the impact of PFAS in Katherine.


Allan McGill
CHIEF EXECUTIVE OFFICER

Delegation: Ms Claire Johansson, Chief Operations Officer