

# ORDINARY COUNCIL MEETING 23 MAY 2022



## NOTICE OF MEETING

The Ordinary Meeting of the Belyuen Community Government Council will be held in the Council Offices, Belyuen community commencing at 10:00 AM.

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Cathy Winsley - CEO

# AGENDA

## ORDINARY COUNCIL MEETING

### 23 May 2022

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## 1 OPEN MEETING

The meeting will be declared open at 10:00AM.

## 2 APOLOGIES AND LEAVE OF ABSENCE

<b>Report Number</b>	<b>2.1.05.22</b>
<b>Author</b>	<b>Cathy Winsley - CEO</b>
<b>Attachments</b>	<b>Nil</b>

### Summary

This report is to table, for Council's record, any apologies, and requests for leave of absence received from Elected Members for this or future Ordinary General Meetings.

### Background

Not applicable.

### Comment

Council can choose to accept the apologies or requests for leave of absence as presented, or not accept them. Apologies or requests for leave of absence that are not accepted by Council will be recorded as absence without notice.

### Statutory Environment

As per the *Local Government Act 2019* s.47 a person ceases to hold office as a member of a Council if the person is absent, without permission of the council in accordance with the regulations, from 2 consecutive ordinary meetings of the Council.

### Financial Implications

Not applicable.

### Recommendation

***That Council accepts the apology of Cr \_\_\_\_\_ for the Ordinary Council 23 May 2022. The Council notes the absence without apology of Cr \_\_\_\_\_.***

***Moved:***

***Seconded:***

### 3 DECLARATION OF INTEREST

<b>Report Number</b>	<b>3.1.05.22</b>
<b>Author</b>	<b>Cathy Winsley - CEO</b>
<b>Attachments</b>	<b>NIL</b>

#### Summary

Elected members and staff are required to declare any conflicts of interest arising from the matters contained in this agenda.

#### Background

**Elected Members** are required to disclose an interest in a matter under consideration by Council at a meeting of the Council or a meeting of a Council committee by:

- 1) In the case of a matter featured in an officer's report or written agenda item by disclosing the interest to the Council by disclosure as soon as possible after the matter is raised.
- 2) In the case of a matter raised in general debate or by any means other than the printed agenda of the Council by disclosure as soon as possible after the matter is raised.

The Council may elect to allow the Member to provide further and better particulars of the interest prior to requesting him/ her to leave the Chambers.

**Staff Members** of the Council are required to disclose an interest in a matter at any time at which they are required to act or exercise their delegated authority in relation to the matter. Upon disclosure the Staff Member is not to act or exercise his or her delegated authority unless the CEO or Acting CEO expressly directs him or her to do so.

#### Comment

NIL

#### Statutory Environment

- *Local Government Act 2019* Section 114 (Elected Members).
- *Local Government Act 2019* Section 179 (Staff Members)

#### Policy Implications

Conflict of Interest – Code of Conduct.

#### Financial Implications

Not applicable.

#### Recommendation

***That Council receives and notes the declarations of interest for the Ordinary General Meeting 23 May 2022.***

**Moved:**

**Seconded:**

## 4 DEPUTATIONS AND PRESENTATIONS

NIL

## 5 CONFIRMATION OF PREVIOUS MINUTES

<b>Report Number</b>	<b>5.1.05.22</b>
<b>Author</b>	<b>Cathy Winsley - CEO</b>
<b>Attachments</b>	<b>Minutes of the Ordinary General Meeting held on 26 April 2022</b>

### **Summary**

Minutes of the Ordinary General Meeting 26 April 2022 are submitted to Council for confirmation that those Minutes are a true and correct record of the meeting.

### **Statutory Environment**

The Agendas and Minutes as submitted must comply with part Chapter 6 of the *Local Government Act 2019*.

### **Policy Implications**

Not applicable

### **Financial Implications**

Not applicable.

### **Recommendation**

***That the Minutes of the Ordinary General Meeting held on 26 April 2022 are confirmed by Council as a true and correct record of the meetings.***

**Moved:**

**Seconded:**

## 6 PRESIDENT'S REPORT

<b>Report Number</b>	<b>6.1.05.22</b>
<b>Author</b>	<b>President Rex Edmunds</b>
<b>Attachments</b>	<b>Nil</b>

### Summary

The President reports to Council on his activity and any items of importance that have arisen since the last ordinary Council meeting.

### Comment

The President will give a verbal report to the meeting.

### Financial Implications

Not applicable.

### Recommendation

*That Council receives and notes the President's Report.*

**Moved:**

**Seconded:**

## 7 CEO REPORTS

### 7.1 Incoming and Outgoing Correspondence

<b>Report Number</b>	<b>7.1.9.20</b>
<b>Author</b>	<b>Cathy Winsley - CEO</b>
<b>Attachments</b>	<b>Various letters below</b>

### Background

Council is provided with items of correspondence both received and sent since the last Council meeting.

The correspondence inwards and outwards will be tabled at every meeting or included in agenda items as part of the background information for that issue.

### Comment

The following correspondence has been received or sent during the preceding period.

**Correspondence In**

Ref	Date	From	Regarding
A	9 May 2022	Office of the Independent Commissioner Against Corruption (NT)	Nominated recipient for protected ICAC correspondence under section 97 of the ICAC Act 2017  Under section 97 of the <i>Independent Commissioner Against Corruption Act 2017 (ICAC Act)</i> requires each public body to nominate a person who will manage and handle “voluntary protected communication”, that material that is related to whistleblowers. The nominated recipient must be a public officer of the public body.

**Correspondence Out**

Ref	Date	To	Regarding

**Consultation**

Not applicable.

**Statutory Environment**

Not applicable.

**Policy Implications**

Not applicable.

**Financial Implications**

Please refer to specific agenda item.

**Recommendation**

- 1. That the Council receives and notes the Incoming and Outgoing Correspondence Report tabled at the Council meeting 23 May 2022.***
- 2. That the Council nominates Dave Ferguson as the Nominated Recipient, pursuant to section 97 of the ICAC Act 2017 for the period 7 June 2022 to 30 May 2025.***

***Moved:***

***Seconded:***

## 7.2 Report from the CEO

<b>Report Number</b>	<b>7.2.05.22</b>
<b>Author</b>	<b>Cathy Winsley - CEO</b>
<b>Attachments</b>	<b>Core Lithium Newsletter and Media Statement Telstra Community Update Gerry Woods – Opinion Piece Amalgamations Email relating to Draft Commonwealth Framework for Engagement with Aboriginal and Torres Strait Islander People (DUE TO SIZE THE FRAMEWORK AND ATTACHMENTS ARE A SEPARATE ATTACHMENT)</b>

### Summary

Each meeting the CEO provides an update on activities and issues facing the Council.

### Comment

#### Core Lithium

Please see attached a community update and media statement from Core Lithium.

#### Airport Maintenance Contract

The CEO will report on her meeting with the NTG verbally.

#### Telstra Education Project

Telstra, in association with Centre for Appropriate Technology, would like to run workshop in the Belyuen community that aims to “Increase your understanding of Telstra products and services and get the most value, enjoyment and benefit from your mobile telephone”. They have provided a information sheet that contains more information.

Telstra would like the Council to suggest appropriate dates any suitable dates for a visit to Belyuen to speak to the Council directors / community leaders to discuss our project with them and possibly get their support to engage with the wider community at a later date.

#### Power and Water ESO Contract

PWC Procurement has advised that the present ESO contract expires June 2023, it is anticipated that the calls for the new tender will be advertised in approx. Q4 calendar year 2022.

#### Opinion Piece on Amalgamations

Gerry Woods has provided a paper on local government amalgamations which is attached for the Council’s information.

#### Draft Commonwealth Framework for Engagement with Aboriginal and Torres Strait Islander People, Communities and Organisations for feedback by COB June 3

“All Australian governments have committed to working in full and genuine partnership with Aboriginal and Torres Strait Islander people, communities and organisations on policy making that impacts on the lives of Aboriginal and Torres Strait Islander people.

In the National Agreement, Priority Reform One commits all governments to building and strengthening structures that empower Aboriginal and Torres Strait Islander people to share decision-making authority



with governments to accelerate policy and place-based progress against Closing the Gap. Priority Reform Three commits all governments to meaningful systemic and structural transformation of mainstream Government organisations.

These commitments contribute to the achievements of two specific outcomes identified in the National Agreement, in that:

Aboriginal and Torres Strait Islander people are empowered to share decision-making authority with governments to accelerate policy and place-based progress on Closing the Gap through formal partnership arrangements; and

Governments, their organisations and their institutions are accountable for Closing the Gap and are culturally safe and responsive to the needs of Aboriginal and Torres Strait Islander people, including through the services they fund

The Commonwealth Government has developed a draft Framework for Engagement and Partnership with Aboriginal and Torres Strait Islander People, Communities and Organisations, to set an expectation of how agencies should engage and partner with Aboriginal and Torres Strait Islander people in the design and delivery of both Aboriginal and Torres Strait Islander-specific and mainstream policies and programs, in a culturally safe way.”

Please refer attached **Feedback required by June 3**

#### **Other Matters**

The CEO will provide a verbal update on matters arising.

#### **Statutory Environment**

NIL

#### **Financial Implications**

Not applicable.

#### **Recommendation**

*That Council receives and notes the report from the CEO as tabled.*

**Moved:**

**Seconded:**

## 8 OFFICER REPORTS

### 8.1 Councillor Allowances

<b>Report Number</b>	<b>8.1.05.22</b>
<b>Author</b>	<b>Cathy Winsley - CEO</b>
<b>Attachments</b>	<b>Maximum Councillor Allowances</b>

#### Summary

Under the *Local Government Act* Councillors are entitled to allowances and benefits. This paper establishes the Allowances and Benefits payable to the Councillors.

#### Comment

Previously, the Belyuen Council has set the Councillor allowances at 100% of the maximum base allowance and have decided not get electoral allowance. This is being proposed for this financial year.

#### Proposed Allowances for 2022-23

	<b>President</b>	<b>Deputy President</b>	<b>Councillor</b>
Base Allowance	\$25,039.28	\$9,259.53	\$4,503.32
Electoral Allowance	\$6,590.44	\$1,647.90	\$1,647.90
Max Extra Meeting Allowance	Not applicable	Not applicable	\$3,003.01
Professional Development	\$3,753.17	\$3,753.17	\$3,753.17
<b>Total Claimable</b>	<b>\$35,382.89</b>	<b>\$14,660.60</b>	<b>\$12,907.40</b>

When the Council sets allowances for council members, the Council should consider its overall budget and financial capability. The Council can resolve that the Councillor allowances are set at any proportion of the maximum allowance provided that the tiered structure (that is the amount the President gets relative to the other Councillors) remains the same. For example, the Council could determine that it sets the Councillor allowances at 50% of the maximum allowable but it could not determine that the President gets the full allowance (or vis versa).

Council can reduce the allowances it pays itself at any time but cannot increase them once they are established in that year.

The Councillor allowances are paid in accordance with the Elected Member Allowance and Benefits Policy that sets the payment of allowances as a policy position.

#### Statutory Environment

Section 109 of the *Local Government Act 2019* Council is required to have a policy that establishes expenses and benefits for Council and Committee members. Previously this requirement was established by the Minister's Guideline (*Guideline No. 2*).

#### Financial Implications

Council has included \$60,991 within the budget for Council Allowances and expenses.

**Recommendation**

***That Council:***

***1. Establishes the Base Allowances at 100% of the maximum base allowance payable under the Table of Maximum Council Member Allowances for 2022-23 published by the Department of Local Government, Housing and Community.***

***2. Establishes the Electoral Allowances at \$6,590.44 for President and \$1,647.90 for Vice-President and Councillors.***

***Moved:***

***Seconded:***

## 9 FINANCIAL REPORTS

### 9.1 Monthly Financial Report

<b>Report Number</b>	<b>9.1.05.22</b>
<b>Author</b>	<b>Cathy Winsley - CEO</b>
<b>Attachments</b>	<b>Financial report for January 2022</b>

#### Background

Not applicable.

#### Comment

Please refer attached financial report.

#### Statutory Environment

Section 17 of the *Local Government (General) Regulations 2021* refers.

##### **17 Monthly financial reports to council**

- 1) The CEO must, in each month, give the council a report setting out:
  - a) the actual income and expenditure of the council for the period from the commencement of the financial year up to the end of the previous month; and
  - b) the most recently adopted annual budget; and
  - c) details of any material variances between the most recent actual income and expenditure of the council and the most recently adopted annual budget.
- 2) The report must also include:
  - a) details of all cash and investments held by the council (including money held in trust); and
  - b) the closing cash at bank balance split between tied and untied funds; and
  - c) a statement on trade debtors and a general indication of the age of the debts owed to the council; and
  - d) a statement on trade creditors and a general indication of the age of the debts owed by the council; and
  - e) a statement in relation to the council's payment and reporting obligations for GST, fringe benefits tax, PAYG withholding tax, superannuation and insurance; and
  - f) other information required by the council.

#### Policy Implications

Not applicable

#### Financial Implications

See the body of this report.

## Summary

### Financial Position

#### Balance Sheet

Belyuen Council had \$2,582,634 worth of Assets as of 30<sup>th</sup> April 2022 – comprising of Bank, Current and Fixed assets. The Council had \$1,004,445 worth liabilities, resulting in \$1578189 Equity in Current and Retained Earnings.

#### Profit and Loss

Belyuen Council made \$113,426 as Gross Profit and spent \$200,621 as Operating Expenses, resulting in \$87,195 of loss for the month of April 2022.

#### Accounts Payable

The Council had \$70,218 in Accounts Payable as of 30<sup>th</sup> April 2022

#### Accounts Receivable

The Council had \$68,927 in Accounts Receivable as of 30<sup>th</sup> April 2022. The Council also has \$13,140 in Other Council Debtors as of 30<sup>th</sup> April 2022.

### Tax Obligations

The Council collected \$27,035 GST from sales and paid \$25,011 GST for purchases from Jan-Mar 2022. The Quarterly Business Activity Statement (BAS) was paid on 18<sup>th</sup> May 2022 along with **March PAYG of \$25,682.**

The Council paid **\$18,497 PAYG for April 2022.** It was lodged and paid to ATO on 18<sup>th</sup> May 2022.

### Grants and Subsidies

The Council received **\$27,752 for Financial Assistance Grant – Roads and \$18,529 for Financial Assistance Grant – General Purpose** as early release of funds for financial year 2022-23

The Council also received **\$10,250 for Indigenous Job Development Funding (IJDF)** on 27<sup>th</sup> April 2022 as subsidy for hiring Indigenous staff at the Workshop.

### Credit Card Transactions

The Council only has cards accessible to General Cheque Account. The Council spent \$18,855 in form of Credit Card Transactions for the month of April 2022.

***Recommendation***

***That Council accept the financial reports for the period April 2022 as tabled in this report.***

***Moved:***

***Seconded:***

## 10 QUESTIONS BY MEMBERS

Members are invited to raise any questions.

## 11 GENERAL BUSINESS

Call for any other general business.

## 12 CONFIDENTIAL ITEMS

In accordance with section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1) of the Local Government (General) Regulations 2021 the meeting be closed to the public to consider the following Confidential items:

The following reports will be dealt with under Section 293(1) of the Local Government Act 2019 and Regulation 51(1)(c)(iv) of the Local Government (General) Regulations 2021 as it contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.

### **12.1 Confidential Minutes of 26 April 2022**

### **12.2 Negotiations with NLC over Section 19 Leasing and other matters**

### **12.3 Letter to Minister for Indigenous Affairs regarding Ironbark Activities**

### **12.4 Draft Shire Plan for 2022-23**

### **12.5 Transfer of Signatory for Bank**

### **12.6 Response to “Have Your Say on Bringing Local Government to the Cox-Daly and Murrumbidgee Douglas Daly Areas”**

### **12.7 Update on Aged Care Program**

### **Recommendation:**

***THAT pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1) of the Local Government (General) Regulations 2021 the meeting be closed to the public to consider the Confidential items of the agenda.***

***Moved:***

***Seconded:***

Return to open session and reading of confidential resolutions if approved.

## 13 NEXT COUNCIL MEETING

***The next Ordinary Meeting of Council be held on Monday 27 June 2022 at the Belyuen Council Offices, Belyuen commencing at 1:00PM.***