

ORDINARY COUNCIL MEETING December 2023



NOTICE OF MEETING

The Ordinary Meeting of the Belyuen Community Government Council will be held in the Council Offices, Belyuen community commencing at 11am.

Dave Ferguson - CEO

AGENDA

ORDINARY COUNCIL MEETING

December 2023

Table of Contents

1	OPEN MEETING	2
2	APOLOGIES AND LEAVE OF ABSENCE	2
3	DECLARATION OF INTEREST.....	3
4	DEPUTATIONS AND PRESENTATIONS	4
5	CONFIRMATION OF PREVIOUS MINUTES.....	4
6	FINANCE REPORT.....	11
6.1	Six Monthly Financial Review	11
6.2	Monthly Financial Report.....	13
7	PRESIDENT’S REPORT	12
8	CEO REPORTS.....	13
8.1	Report from the CEO.....	13
8.2	Report from the CEO.....	15
8.3	Report from the CEO Aged Care.....	18
8.4	Report from the Store	19
8.5	Report from the CEO.....	21
8.6	Report from the CEO.....	11
9	QUESTIONS BY MEMBERS	23
10	GENERAL BUSINESS.....	23
11	NEXT COUNCIL MEETING	23

1 OPEN MEETING

The meeting will be declared open at 11:00am.

President welcomes the Councillors and staff to the December meeting of 2023.

Councillors agree that all matters presented at this meeting will be administered on the principle of fair and equitable treatment. The President acknowledges that we each bring our own views to the table and on all matters unresolved, Councillors right to agree and disagree is respected.

Councillors are reminded to fulfil their administrative requirements and sign the attendance sheet associated with this meeting.

Acknowledgement is made to members not present and respect is paid to the Traditional Owners of the land on which we meet, to the elders past and present and to the Councillors and employees present for the meeting.

2 APOLOGIES AND LEAVE OF ABSENCE

2.1.12.23

Dave Ferguson - CEO

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.

BELYUEN COMMUNITY GOVERNMENT COUNCIL

Recommendation

1. *That Council accepts the apology of Cr. [redacted] for the Ordinary Council Meeting held December 12 2023; or,*
2. *That the Council notes the absence without apology of Cr. [redacted]*

Moved:

Seconded:

3 DECLARATION OF INTEREST

3.1.12.23

Dave Ferguson - CEO

Summary

Elected members and staff are required to declare any conflicts of interest arising from the matters contained in this agenda. The President reminds everyone about their roles and responsibilities as an elected official and particularly of their obligations to declare their interest (material or personal) on matters presented today – that may have a perceived or real conflict of interest.

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 for December 12 2023.

Moved:

Seconded:

4 DEPUTATIONS AND PRESENTATIONS

Nil

5 CONFIRMATION OF PREVIOUS MINUTES

5.1.12.23

Dave Ferguson - CEO

Unconfirmed Minutes of the October Meeting 2023

Summary

Minutes of the Ordinary General Meeting and the Confidential Minutes from the meeting of the 31 October (November 3rd) 2023 are submitted to Council for confirmation that those Minutes are a true and correct record of the meeting.

MINUTES OF THE ORDINARY MEETING OF THE BELYUEN COMMUNITY GOVERNMENT COUNCIL MEETING HELD: October (November 14th) 2023

1 OPEN MEETING

MEETING OPENED: The Ordinary Council Meeting opened at 11:13am

PRESENT AT MEETING:

Elected Members:

- *Cr. Rex Edmunds*
- *Cr. John Moreen*
- *Cr. Brentley Moreen*
- *Cr. Frederick Moreen*
- *Cr. Rex Sing*

Staff:

- *Dave Ferguson – Chief Executive Officer*
- *Jasmine Brar – Finance and Administration Manager*

Visitors:

- *Nil*

2 APOLOGIES AND LEAVE OF ABSENCE

Recommendation:

<2.1.11.14> That Council receives and notes NIL apologies and leave of absence for the Ordinary Council Meeting - October 2023.

3 DECLARATIONS OF INTERESTS

Recommendation:

<3.1.11.14> That Council receives and notes NIL declarations of interest for the Ordinary Council Meeting – October 2023

4 DEPUTATIONS AND PRESENTATIONS

Nil

5 CONFIRMATION OF PREVIOUS MINUTES

Recommendation:

<5.1.11.14> That the Minutes of the September Ordinary Council Meeting held on 3rd October 2023 and the Confidential section of the meeting be confirmed by Council as a true and correct record of the meeting.

Moved: Cr. Edmunds

Seconded: Cr. J. Moreen

Carried.

6 PRESIDENT'S REPORT

- **Appointment of Deputy President**

Cr. Edmunds called for nominations to the vacant role of Deputy President.

Cr. Frederick Moreen was nominated by Cr. Edmunds for the role of Deputy President.

Recommendation:

1. *That Frederick Moreen is appointed as the Deputy President for Belyuen Community Government Council for the remainder of this term of office ending at the conclusion of the next Local Government general election.*

Moved: Cr. Edmunds

Seconded: Cr. Sing

Carried.

- *BCGC President and CEO attended the LGANT Annual Conference from 8-10th November 2023. Enquired about funding for housing and upgrades to Belyuen internal road network, some roads are in poor condition and unsafe requiring major refurbishment. Main access roads are only one car width, require expansion in the interests of road safety.*
- *Public infrastructure is out dated and no longer fit for purpose. Numerous buildings and lot numbers require re-evaluation and possible reconstruction pending building assessment.*
- *Belyuen School is aging. Consideration for refurbishment/rebuild.*
- *Community need to be strategic, giving consideration to future growth and regional planning.*
- *Wait times for housing is excessive. Residents are waiting too long for a house. Wait times for repairs & maintenance is also a going concern.*
- *The Belyuen Housing Reference Group do not liaise with Belyuen Council regarding public housing allocations and waiting list priorities. Previous requests have been made to the Belyuen Housing Reference Group and the Northern Territory Government to address this issue.*

Action Items:

BELYUEN COMMUNITY GOVERNMENT COUNCIL

- CEO to write to the Department of Infrastructure, Planning and Logistics (DIPL) regarding the current state of Belyuens internal road network.
- CEO to investigate the development of a Strategic Plan for Belyuen and the Greater Cox Peninsula Region. Implementation of a Community Reference Group will encourage community led decision making and highlight community priorities. Services and programs including sport and recreation, community development, asset management, waste management and income generating activities.
- CEO to write to the Department of Territory Families, Housing and Communities (TFHC) regarding the current housing situation in Belyuen.

Recommendation:

<6.1.11.14> That Council receives and notes the President's Report:

Moved: Cr. J. Moreen

Seconded: Cr. Sing

Carried.

7 CEO REPORTS

7.1 Report from the CEO: Correspondence

Recommendation:

<7.1.11.14> That Council:

1. Instructs the CEO to progress the development of a Community Alcohol Plan for Belyuen;
2. Instructs the CEO to include a safe drinking space in the form of a sport and recreation social club in the Community Alcohol Plan to promote responsible drinking and reduce anti-social behaviour, and;
3. Notes and endorses the report correspondence from the CEO as tabled.

Moved: Cr. B. Moreen

Seconded: Cr. F. Moreen

Carried.

7.2 Report from the CEO: General Administration

Recommendation:

<7.2.11.14> That Council:

1. notes and endorses the CEO Report; correspondence from the CEO as tabled, and;
2. invite the Traditional Owners to a meeting to discuss visitor access to Belyuen and reduce criminal activity from external influences that are disrespectful towards the Belyuen culture.

Moved: Cr. Edmunds
Seconded: Cr. Sing
Carried.

7.3 Report from the CEO: Motor Vehicle Registry

Recommendation:

<7.3.11.14> That Council:

1. Endorse Dave Ferguson in his official capacity as Chief Executive Officer to act as key personnel and official signatory as the nominated delegate to conduct all business on behalf of the Belyuen Community Government Council.

Moved: Cr. Edmunds
Seconded: Cr. B. Moreen
Carried.

7.4 Report from the Belyuen Aged Care Services

Recommendation:

<7.4.11.14> That Council notes and endorses the report from Director, Aged and Disability Services:

Moved: Cr. B. Moreen
Seconded: Cr. F. Moreen
Carried.

7.5 Report from the Works Supervisor

Recommendation:

<7.5.11.14> That Council notes the report from the Works Supervisor for September 2023 as tabled:

Moved: Cr. J. Moreen
Seconded: Cr. Sing
Carried.

7.6 Report from the CEO: Changes to Working Conditions

Recommendation:

<7.6.11.14> That Council:

1. Endorse the creation of a Council office space in Berry Springs including initial set-up cost, associated expenses and oncost;
2. Approve the relocation of the BCGC Finance Manager to continue to work remotely; and,
3. Instruct the CEO to create a Working Remote policy & procedure.

Moved: Cr. Edmunds

Seconded: Cr. Sing

Carried.

8 FINANCIAL REPORTS

8.1 Monthly Financial Report

Recommendation

<8.1.11.14> That Council notes and endorses the financial report for September 2023

Moved: Cr. B. Moreen

Seconded: Cr. F. Moreen

Carried.

<8.2.11.14> That Council notes and endorses the Audited Financial Statements for July 2022-June 2023 as tabled:

Moved: Cr. Edmunds

Seconded: Cr. J. Moreen

Carried.

9 QUESTIONS BY MEMBERS

Nil

10 GENERAL BUSINESS

Nil

11 CONFIDENTIAL ITEMS

Nil

12 NEXT COUNCIL MEETING

Meeting closed at 2:20pm

*The next Ordinary Meeting of Council be held on **December 12th** at the Belyuen Council Offices, Belyuen commencing at **11:00am**.*

– END OF DOCUMENT –

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 October Ordinary General Meeting held on **14th November** 2023 and the Confidential section of the meeting be confirmed by Council as a true and correct record of the meeting.

Moved:

Seconded:

6 FINANCIAL REPORTS

6.1 Six Monthly Financial Review

Report Number	6.1.12.23
Author	Dave Ferguson - CEO
Attachments	Finance report

Summary

The Council is provided with a six-monthly financial review.

Background

Not applicable.

Comment

Please refer attached financial report.

Statutory Environment

Policy Implications

Not applicable

Financial Implications

See the body of this report.

Recommendation

That Council:

Moved:

Seconded:

6.2 Monthly Financial Report

Report Number	6.2.12.23
Author	Dave Ferguson - CEO
Attachments	Finance report

Summary

The Council is provided with a financial report at each meeting.

Background

Not applicable.

Comment

Please refer attached financial report.

Statutory Environment

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

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.

Recommendation

That Council:

- a) notes the Chief Executive Officer (CEO) certifies to the best of his knowledge, information, and the belief that the internal controls implemented by Council are appropriate, and that Council's financial report best reflects the financial affairs of Council; and
- b) receives and notes the monthly financial report for December 2023.

Moved:

Seconded:

7 PRESIDENT'S REPORT

Report Number	7.1.12.23
Author	President Rex Edmunds
Attachments	Nil

Summary

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

Comment

The President gives a verbal report of activities since the last council meeting.

Financial Implications

Not applicable.

Recommendation

That Council receives and notes the President's Report.

Moved:

Seconded:

8 CEO REPORT

8.1 Report from the CEO – General Administration

Report Number	8.1.12.23
Author	Dave Ferguson - CEO
Attachments	NIL

Summary

The CEO provides a report to Council outlining operational matters concerning Council for the previous month.

Recruitment:

Council have recently employed local Indigenous people in the following roles:

- **School Nutrition/store assistants x 1**
- **Grounds Maintenance officers x 1**

There are numerous employment opportunities currently ongoing and available in Belyuen.

Council still has vacancies in the following programs and services:

- **Cultural Program Coordinators** x 2 (part time 20 hrs. per week – male & female identified)
- **Centrelink/Admin officer** x 1 (part time 30 hours per week)
- **Aged Care Case Managers** x2 (full time)
- **Aged Care Support workers** x 3 (casual 20 hrs. per week - identified)
- **Cleaners** x 2 (casual 20 hrs. per week - identified)

Council have advertised for Case Managers and Support Workers in the Aged Care program.

Applicants have been shortlisted and invited for interviews.

Recruitment to these roles is on target to be completed in early January.

Training:

Council have been offered a 2 day training course for the civil works program staff in Belyuen. The course will run on the 18th – 19th December at the workshop compound. This training will increase operational knowledge of equipment and machinery in the workshop as well as provide information to assist staff with general maintenance and care of assets. The training is open to all staff and community members interested in this field.

Waratah Football Club:

We are currently up to round 8 of the NTFL season and Belyuen have players in Mens Division 1 and Womens Division 2 as well as numerous juniors in various age groups.

Belyuen Council have received sponsorship from Core Lithium which will greatly improve our players and provide much needed equipment and resources to assist with training requirements.

Christmas Mass:

The Catholic Church are holding Christmas Mass here in Belyuen on Friday 15th December at 10.30am in the Community Hall.

Everyone is welcome to attend.

Community Christmas Celebrations:

Belyuen had our community Christmas party on Thursday 7th December in the community hall. This year, Council collaborated with the Belyuen School to have one big Christmas celebration for the whole community. There was an Acknowledgement of Country from Traditional Owner: Zoe Singh as well as presentations and performances by Belyuen school along with awards presented by President Edmunds and Member for Daly, Dheran Young.

A jumping castle, ice cream van and special visit from Santa made it a day to remember. Christmas dinner was enjoyed by everyone and a special mention must go to Janett & Rovie at the store along with the support from Woolworths who provided the food. Thanks must also go to Rotary Club of Darwin for their on-going support and generous pledge this year to provide each household with a Christmas hamper.

Consultation

Community consultation via community meetings and surveys.

Statutory Environment

Not applicable

Policy Implications

Nil

Financial Implications

BCGC receive funding from the Northern Territory Government, Commonwealth Government, and various funding agencies to assist with the delivery of services to the community of Belyuen.

Recommendation:

That Council note the report from the CEO

Moved:

Seconded:

8.2 Report from the CEO – Council Meeting Dates 2024

Report Number	8.2.12.23
Author	Dave Ferguson - CEO
Attachments	2024 Council Meeting Dates

Summary

The Local Government Act 2019 (the Act) requires each council to set the schedule for the holding of ordinary meetings for the term of the council.

Comment:

Meeting dates for 2024 have been drafted and included in this report for Councils discussion and endorsement.

Consultation

BELYUEN COMMUNITY GOVERNMENT COUNCIL

Nil

Statutory Environment

Not applicable

Policy Implications

Nil

Financial Implications

Nil

Recommendation:

That Council:

1. Endorses the ordinary Council meeting dates for 2024 as tabled

Moved:

Seconded:

MONTH	MEETING REPORTS DUE	MEETING DATE
January	Tuesday 23 rd	Tuesday 30 th
February	Tuesday 20 th	Tuesday 27 th
March	Tuesday 19 th	Tuesday 26 th
April	Tuesday 23 rd	Tuesday 30 th
May	Tuesday 21 st	Tuesday 28 th
June	Tuesday 18 th	Tuesday 25 th
July	Tuesday 23 rd	Tuesday 30 th
August	Tuesday 20 th	Tuesday 27 th
September	Tuesday 17 th	Tuesday 24 th
October	Tuesday 22 nd	Tuesday 29 th
November	Tuesday 19 th	Tuesday 26 th
December	Tuesday 10 th	Tuesday 17 th

8.3 Report from Belyuen Aged Care Services

Report Number	8.3.12.23
Author	Dave Ferguson - CEO
Attachments	Belyuen Community & Regional draft Strategic Plan 2024-27

Summary

Belyuen Community Government Council have received support from Aged Care Management Australia (ACMA) in the development of a strategic plan for the Aged Care program.

Comment

ACMA have provided a draft strategic plan for the Aged Care program for the next 4 years.

Statutory Environment

Not applicable

Policy Implications

Nil

Financial Implications

Nil

Recommendation:

That Council:

- ***Adopt the Belyuen Community & Regional draft Strategic Plan 2024-2027 to be included as part of Councils Shire Plan and future reference point for positive change to Aged Care services.***

Moved:

Seconded:

8.4 Report from CEO: Belyuen Store – Christmas Trading Hours

Report Number 8.4.12.23
Author D. Ferguson - CEO
Attachments Trading Hours

Summary:

Council have agreed to close for the 10 day Christmas and new year period. Trading hours for the Belyuen Store have been amended.

Consultation:

Below are suggested opening hours of the store during the Christmas break:

BELYUEN STORE – Trading Hours December – January

FRIDAY 22 nd December	8.00 – 1.00
SATURDAY 23 rd December	9.30 – 12.00
SUNDAY 24 th December.....	CLOSED
Monday 25 th December (Christmas Day).....	CLOSED
Tuesday 26 th December (Boxing Day).....	CLOSED
Wednesday 27 th December.....	8.00 – 3.00
Thursday 28 th December.....	8.00 – 3.00
Friday 29 th December.....	8.00 – 3.00
Saturday 30 th December	9.30 - 12.00
SUNDAY 31 st December	CLOSED

Monday 1st January (New Years Day) **CLOSED**

Tuesday 2nd January.....**8.00 – 4.00**



To all our friends and family in Belyuen we would like to wish you a Merry Christmas and Happy New Year.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation:

That Council:

- 1. Note and endorse the CEO report on Belyuen Store – Christmas trading hours as tabled

Moved:

Seconded:

8.5 Report from CEO – Delissaville Aerodrome

Report Number	8.5.12.23
Author	Dave Ferguson - CEO
Attachments	NIL

Summary

Belyuen Council have oversight of the repairs, maintenance and upkeep of the Delissaville Aerodrome. Council received funding from the Australian Federal Government to provide upgrades to the aerodrome.

Comment

Council have a funding agreement with the Australian Federal Government to bituminize the taxiway and apron sections of the Delissaville Aerodrome. This agreement has been in place for approximately 3-4 years. Upon investigation, it was discovered that the Northern Territory Government also have funding to provide re-sheeting works to the entire runway of the airstrip. NTG advise that due to specific drainage requirements, Council are unable to complete their works until the NTG have completed their works. The NTG have requested Council give them the funding and they will complete all of the works.

There are concerns with regard to this proposal from the NTG:

1. Time frame – the NTG have had this funding for over 4 years and are still in the planning stages. This has resulted in several requests for extensions from the federal government to carry the funding forward into the next financial year. For Council to agree to enter into a contract with the NTG, there would need to be some surety that the project will commence on time and be completed in the agreed time frame.
2. Employment & Training – there is little surety from the NTG that there will be local employment and training associated with this project. I have met with DIPL on several occasions expressing the importance of using projects such as this to employ, train and upskill local indigenous people in this area. As yet there is still nothing in writing to suggest that the NTG will support this request.
3. NLC – according to the NTG, approval hasn't been received from the NLC to undertake this works. There has never been an invitation from the NTG to discuss this project with the NTG and NLC. Unless there can be some surety from the NTG that the project can proceed without delays, it is difficult for Belyuen Council to maintain a level of confidence in the project commencing on time.
4. Cost – due to the length of time that has lapsed between the initial project costings and now, it is unlikely that the works can be completed under budget. Council have already sustained administrative expenses associated with the project. To hand the whole amount of funding over to the NTG will create significant risk and negatively impact the council financially.

Consultation

Meetings and email exchange with DIPL over an extended period of time.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Administrative costs already absorbed by Council over the past 2 years managing this funding agreement.

Recommendation:

That Council instruct the CEO to respond to the NTG advising Councils decision regarding the works project for the Delissaville Aerodrome.

Moved:

Seconded:

9 QUESTIONS BY MEMBERS

Members are invited to raise any questions.

10 GENERAL BUSINESS

Call for any other general business.

Discussion

11 NEXT COUNCIL MEETING

The next Ordinary Meeting of Council be held on January 30th at the Belyuen Council Offices, Belyuen commencing at 11:00am.