



WEST ARNHEM REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
AGENDA

FRIDAY, 21 JULY 2023



WEST ARNHAM REGIONAL COUNCIL

Notice is hereby given that a Special Meeting of the West Arnhem Regional Council will be held in Tiwi Partners Building, 100 Pruen Road, Berrimah on Friday, 21 July 2023 at 14:00.

Jessie Schaecken
Acting Chief Executive Officer

Code of Conduct: The Local Government Act 2019.

As stipulated in Schedule 1 of the Act, the Code of Conduct for Members is as follows:

1. **Honesty and Integrity:** A member must act honestly and with integrity in performing official functions.
2. **Care and diligence:** A member must act with reasonable care and diligence in performing official functions.
3. **Courtesy:** A member must act with courtesy towards other members, council staff, electors and members of the public.
4. **Prohibition on bullying:** A member must not bully another person in the course of performing official functions.
5. **Conduct towards Council staff:** A member must not direct, reprimand, or interfere in the management of, council staff.
6. **Respect for cultural diversity and culture:** A member must respect cultural diversity and must not therefore discriminate against others, or the opinions of others, on the ground of their cultural background.
A member must act with respect for cultural beliefs and practices in relation to other members, council staff, electors and members of the public.
7. **Conflict of interest:** A member must avoid any conflict of interest, whether actual or perceived, when undertaking official functions and responsibilities.
If a conflict of interest exists, the member must comply with any statutory obligations of disclosure.
8. **Respect for confidences:** A member must respect the confidentiality of information obtained in confidence in the member's official capacity.
A member must not make improper use of confidential information obtained in an official capacity to gain a private benefit or to cause harm to another.
9. **Gifts:** Members must not solicit, encourage or accept gifts or private benefits from any person who might have an interest in obtaining a benefit from the council.
A member must not accept a gift from a person that is given in relation to the person's interest in obtaining a benefit from the council.'
10. **Accountability:** A member must be prepared at all times to account for the member's performance as a member and the member's use of council resources.
11. **Interests of municipality, region or shire to be paramount:** A member must act in what the member genuinely believes to be the best interests of the municipality, region or shire.
In particular, a member must seek to ensure that the member's decisions and actions are based on an honest, reasonable and properly informed judgment about what best advances the best interests of the municipality, region or shire.
12. **Training:** A member must undertake relevant training in good faith.

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	The information in this section of the agenda is classed as confidential under section 293(1) of the <i>Local Government Act 2019</i> and regulation 51 of the <i>Local Government (Administration) Regulations 2021</i>.	
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Acknowledgement of Country

West Arnhem Regional Council acknowledges the First Nations Custodians, and the many Language and Family groups who are Managers and Caretakers to each of their Traditional homelands and Waters across the West Arnhem Region Wards.

West Arnhem Regional Council pays its respects and acknowledges Elders, past, present and rising.

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 21 JULY 2023

Agenda Reference:	3.1
Title:	Apologies and Leave of Absence
File Reference:	1087403
Author:	Jessie Schaecken, Governance and Risk Advisor

SUMMARY

This report is to table, for Council's record, any Apologies and requests for leave of absence received from Elected Members for the Special Council meeting held 21 July 2023.

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 absent without notice.

RECOMMENDATION:

That Council receives and notes Elected Member apologies and/or requests for leave of absence for the Special Meeting held 21 July 2023.

ATTACHMENTS

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 21 JULY 2023

Agenda Reference:	4.1
Title:	Absent without Notice
File Reference:	1087404
Author:	Jessie Schaecken, Governance and Risk Advisor

SUMMARY

This report is to table, for Council's record, any Elected Members who are absent without notice from the Ordinary Council meeting held on 21 July 2023.

STATUTORY ENVIRONMENT

Section 47(o) of the *Local Government Act 2019* is relevant to this matter.

POLICY IMPLICATIONS

This report has been prepared in accordance with Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to goals in pillar 6 in the *Regional Plan and Budget 2023-2024* as outlined below:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration. Our processes, procedures and policies are ethical and transparent.

Goal 6.3	Council and Local Authorities Excellence in governance, consultation administration and representation
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RECOMMENDATION:

That Council noted Elected Member absences without notice for the Special Council meeting held on 21 July 2023.

ATTACHMENTS

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 21 JULY 2023

Agenda Reference:	5.1
Title:	Acceptance of Agenda
File Reference:	1087405
Author:	Jessie Schaecken, Governance and Risk Advisor

SUMMARY

Agenda papers are presented for acceptance at the Special Council meeting held on 21 July 2023.

STATUTORY ENVIRONMENT

Section 92(1) *Local Government Act 2019* is relevant to this matter.

POLICY IMPLICATIONS

This report has been prepared in accordance with Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to goals in pillar 6 in the *Regional Plan and Budget 2023-2024* as outlined below:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration. Our processes, procedures and policies are ethical and transparent.

Goal 6.3	Council and Local Authorities Excellence in governance, consultation administration and representation
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Goal 6.5	Planning and Reporting Robust planning and reporting that supports Council's decision-making processes
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RECOMMENDATION:

That the agenda papers for the Special Council meeting held on 21 July 2023 as circulated be received for consideration at the meeting.

ATTACHMENTS

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 21 JULY 2023

Agenda Reference:	6.1
Title:	Disclosure of Interest of Members or Staff
File Reference:	1087406
Author:	Jessie Schaecken, Governance and Risk Advisor

SUMMARY

Elected Members are required to disclose an interest in a matter under consideration at the Council meeting:

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

Under disclosure, the Member must abide by the decision of the Council on whether he/she shall remain in the Chambers and/ or take part in the vote on the issue. 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 delegate authority in relation to the matter. Upon disclosure, the staff member is not to act or exercise his or her delegated authority unless Council expressly directs him or her to do so.

STATUTORY ENVIRONMENT

Section 114 (Elected Members) *Local Government Act 2019*

Section 179 (staff members) *Local Government Act 2019*

POLICY IMPLICATIONS

This report has been prepared in accordance with Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to pillar 6 in the *Regional Plan and Budget 2022-2023* as outlined below:

PILLAR 6 FOUNDATIONS OF GOVERNANCE

Integrity is at the heart of everything we do. We are leaders of best practice and excellence in governance, advocacy, consultation and administration. Our processes, procedures and policies are ethical and transparent.

Goal 6.3

Council and Local Authorities

Excellence in governance, consultation administration and representation

RECOMMENDATION:

That Council received and noted the declarations of interest as listed for the meeting held on 10 July 2023.

ATTACHMENTS

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 21 JULY 2023

Agenda Reference:	14.1
Title:	Closure to the Public for the Discussion of Confidential Items
File Reference:	1087407
Author:	Jessie Schaecken, Governance and Risk Advisor

SUMMARY

Pursuant to section 99(2) and 293(1) of the *Local Government Act 2019* and regulation 52 of the *Local Government (General) Regulations 2021*, the meeting is to be closed to the public to consider confidential matters.

STATUTORY ENVIRONMENT

Section 99(2) of the *Local Government Act 2019*

Regulations 51 and 52 of the *Local Government (Administration) Regulations 2021*

RECOMMENDATION:

That Council approved pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 52 of the Local Government (General) Regulations 2021 the meeting be closed to the public to consider the Confidential items of the Agenda.

ATTACHMENTS

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 21 JULY 2023

EXCLUSION OF THE PUBLIC

The information in this section of the agenda is classed as confidential under section 293(1) of the *Local Government Act 2019* and regulation 51 of the *Local Government (Administration) Regulations 2021*.

**WEST ARNHEM REGIONAL COUNCIL
FOR THE MEETING 21 JULY 2023**

RE-ADMITTANCE OF THE PUBLIC