



WEST ARNHEM REGIONAL COUNCIL AGENDA

**SPECIAL COUNCIL MEETING
FRIDAY, 6 SEPTEMBER 2024**



WEST ARNHAM REGIONAL COUNCIL

Notice is hereby given that a Special Meeting of the West Arnhem Regional Council will be held in Council Chambers on Friday 6 September 2024 at 3:00 pm.

Andrew Walsh
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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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 ARNHAM REGIONAL COUNCIL

FOR THE MEETING 6 SEPTEMBER 2024

Agenda Reference:	3.1
Title:	Apologies, Leave of Absence and Absent Without Notice
Author:	Jasmine Mortimore, Governance Advisor

SUMMARY

This report is to table, for Council's record, any apologies, and requests for leave of absence received by Council's Chief Executive Officer from Elected Members, as well as record any absence without notice for the Special Council meeting held on 6 September 2024.

RECOMMENDATION

1. Notes the absence of ...
2. Notes the apology received from

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.

LEGISLATION AND POLICY

Section 47(o) of the *Local Government Act 2019*.

Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to the following pillars and goals in the *Regional Plan and Budget*:

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

ATTACHMENTS

Nil

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 6 SEPTEMBER 2024

Agenda Reference:	4.1
Title:	Acceptance of Agenda
Author:	Jasmine Mortimore, Governance Advisor

SUMMARY

Agenda papers are presented for acceptance at the Special Council meeting held on 6 September 2024.

RECOMMENDATION

THAT COUNCIL accept the agenda papers as circulated for the Special Council meeting held on 6 September 2024.

LEGISLATION AND POLICY

Section 92(1) *Local Government Act 2019*.

Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to the following pillars and goals in the *Regional Plan and Budget*:

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

Goal 6.5 Planning and Reporting

Robust planning and reporting that supports Council's decision-making processes

ATTACHMENTS

Nil

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 6 SEPTEMBER 2024

Agenda Reference:	5.1
Title:	Disclosure of Interest of Members or Staff
Author:	Jasmine Mortimore, Governance Advisor

SUMMARY

Elected Members are required to disclose an interest in a matter under consideration at a Special 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, disclosure as soon as possible after the matter is raised.

Under disclosure, the Member must abide by the decision of the Council on whether they 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 them to leave the Chambers.

Staff Members of the Council are required to disclose an interest in a matter at any time on 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 their delegated authority unless Council expressly directs them to do so.

RECOMMENDATION

THAT COUNCIL receive the declarations of interest as listed for the Special Council meeting held on 6 September 2024.

LEGISLATION AND POLICY/STATUTORY ENVIRONMENT

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

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

Council's Scheduling and Conduct of Meetings (Elected, Local Authority and Council Committee Members) Policy.

STRATEGIC IMPLICATIONS

This report is aligned to the following pillars and goals in the *Regional Plan and Budget*:

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 6.4 Risk Management

The monitoring and minimisation of risks associated with the operations of Council.

ATTACHMENTS

1. Declaration of Interest Register Elected Members [5.1.1 - 2 pages]



Declaration of Interest Register		
Elected Members	Declared Interest	Connection
Mayor James Woods	Local Government Association Northern Territory (LGANT)	Board Member
	Malala Health Clinic	Staff Member, Board Member
	Maningrida AFL Committee	Committee member
	Maningrida Emergency Response Group	Deputy Officer
	Bawinanga Aboriginal Corporation	Board Member
	Maningrida Housing Reference Group	Member
Deputy Mayor Elizabeth Williams		
Cr Ralph F Blyth	Warnbi Aboriginal Corporation	Executive Officer
	Wark Aboriginal Corporation	Director
	Red Lily Health Board	Alternative Director / Board Member
Cr Mickitja Onus	Energy Resources Australia (ERA)	Staff Member
Cr Gabby Gumurdul	Gunbalanya Economic Development Aboriginal Corporation	Director
	Gunbalanya Sports and Social Club	Member
Cr Donna Nadjamerrek	National Indigenous Australians Agency (NIAA)	Indigenous Engagement Officer for Gunbalanya, Minjilang and Warruwi.
	Injalak Aboriginal Corporation	Member
	Adjumarllarl Aboriginal Corporation	Member
Cr Otto Dann	Northern Land Council (NLC)	Board Member
	Adjumarllarl Aboriginal Corporation	Member
Cr James Marrawal		
Cr Henry Guwiyul		
Cr Jacqueline Phillips	JP Cultural Solutions	Director
	Northern Land Council (NLC)	Board Member
	Bawinanga Aboriginal Corporation	Chair
	Maningrida Housing Reference Group	Member
	Maningrida Homelands School Company	Board Member
Cr Jermaine Namanurki	Malala Health Centre	Staff Member

✉ PO Box 721, Jabiru NT 0886 ● info@westarnhem.nt.gov.au 🌐 www.westarnhem.nt.gov.au





Cr Monica Wilton	Maningrida Homelands School Company	Deputy Chair
	Maningrida School	Teacher / Language and Cultural Team

✉ PO Box 721, Jabiru NT 0886 ● info@westarnhem.nt.gov.au 🌐 www.westarnhem.nt.gov.au



West Arnhem Regional Council

Jabiru (Head Office)
☎ 08 8979 9444

Gunbalanya
☎ 08 8970 3700

Maningrida
☎ 08 8979 6600

Warruwi
☎ 08 8970 3600

Minjilang
☎ 08 8970 3500



Ordinary Council Meeting
Friday 6 September 2024

WEST ARNHEM REGIONAL COUNCIL

FOR THE MEETING 6 SEPTEMBER 2024

Agenda Reference:	6.1
Title:	Call for Nominations - LGANT Board Directors
Author:	Jasmine Mortimore, Governance Advisor

SUMMARY

The purpose of this report is for Council to consider nominating a representative from the West Arnhem Regional Council for the LGANT Board Director position.

RECOMMENDATION

THAT COUNCIL:

1. Receive and note the report titled *Call for Nominations - LGANT Board Directors*;
2. Endorse application for Cr Blyth to to nominate for the LGANT Vice President Position; and
3. Endorse application for Mayor Woods to nominate for the LGANT Board Director Position.

BACKGROUND

The Local Government Association of the Northern Territory (LGANT) is a company limited by guarantee, incorporated under the Corporations Act 2001. Representing the interests of local government members across the Northern Territory.

Each member of the LGANT Board will be a Director of the Company. The board is comprised of nine (9) Directors, including

- (i) The President;
- (ii) two (2) Vice Presidents; and
- (iii) six (6) Directors

The Board is elected at the Annual General Meeting every second year and, subject to the LGANT constitution, are entitled to hold office for a period of two (2) years from that Annual General Meeting.

Each Council may nominate one (1) or more of its elected members to stand for positions of the board, and must clearly state the position for which the nomination/s are made (President, Vice President or ordinary Board member).

Only one elected member from each Council can be elected as a director of the Board, and all others must be withdrawn from the election to any other positions, with the exception of City of Darwin which may have up to two positions on the Board.

Each Director of the Board must have their nominations endorsed a resolution at a Council meeting. LGANT Board Directors nominations forms will need to be sent to LGANT by CoB Tuesday 1 October 2024.

COMMENT

Please see attached LGANT Board Directors nominations forms for further information.

LEGISLATION AND POLICY

LGANT Constitution.

Allowances an Expenses (Elected Local Authority and Council Committee Members Policy).

STRATEGIC IMPLICATIONS

This report is aligned to the following pillars and goals of the *Regional Plan and Budget*:

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.

Goal 6.5 Planning and Reporting

Robust planning and reporting that supports Council's decision-making processes.

ATTACHMENTS

1. 2024.08.22 LGANT Board Director nomination information [6.1.1 - 3 pages]
2. 2024 08 22 LGANT Board Director nomination form [6.1.2 - 4 pages]



LGANT Board Director nomination information

Thank you for your interest in serving on the Board of the Local Government Association of the Northern Territory (LGANT). This introduction provides you with important information about the responsibilities and expectations associated with this role. We encourage you to read it carefully before submitting your nomination.

About LGANT

LGANT is a company limited by guarantee, incorporated under the *Corporations Act 2001*. We represent the interests of our local government members across the Northern Territory.

Director Responsibilities

As a Director of LGANT, you will have significant legal and ethical responsibilities. These include:

- 1. Duty of Care and Diligence:** You must exercise your powers and duties with the care and diligence that a reasonable person would exercise in the same circumstances. This includes staying informed about the organisation's activities and financial position.
- 2. Duty to Act in Good Faith:** You must act in good faith in the best interests of LGANT and for a proper purpose. This means putting the interests of LGANT ahead of your own interests or those of any individual council.
- 3. Duty Not to Improperly Use Position or Information:** You must not use your position, or information obtained through your position, to gain an advantage for yourself or someone else, or to cause detriment to LGANT.
- 4. Duty to Disclose Material Personal Interests:** You must disclose any material personal interests in matters that relate to the affairs of LGANT.
- 5. Duty to Prevent Insolvent Trading:** You must prevent LGANT from incurring debts that it cannot pay.

It's crucial to understand that as a Director, you will be representing LGANT as a whole, not your individual council. You will need to "take off your council hat" and make decisions in the best interests of LGANT and its entire membership.

Eligibility Under the Corporations Act 2001

It is important to note that certain individuals are disqualified from managing corporations under the *Corporations Act 2001*. This includes people who are undischarged bankrupt, have been convicted of certain offences, or are subject to a court order that disqualified them from managing corporations. If you are unsure about your eligibility, please review Section 206B of the *Corporations Act 2001*, or seek legal advice before submitting your nomination.



Important: Director Identification Number (Director ID) Requirement

All Directors in Australia, including LGANT, are required to have a Director ID. This is a unique identifier that you will keep forever. If you don't already have a Director ID, you must apply for one before you can be appointed as a Director of LGANT. This is a crucial step in the nomination process.

To apply for a Director ID or for more information, visit the Australian Business Registry Services website – www.abrs.gov.au. We strongly recommend that you start this process as soon as possible if you intend to nominate, as it may take some time to complete.

Skills and Experience

Effective governance requires a diverse range of skills and experiences on the Board. We encourage nominees to consider their unique contributions in areas such as:

- Strategic planning and policy development;
- Financial management and analysis;
- Risk management and compliance;
- Stakeholder engagement and communication;
- Legal and governance expertise;
- Industry knowledge (local government, public administration); and
- Leadership and change management.

While not all Directors need to be experts in all areas, a combination of these skills across the Board is vital for LGANT's success.

Commitment

Board membership requires a time commitment. In addition to regular Board meetings, you may be asked to serve on committees, attend events, and engage in ongoing professional development. Please consider your capacity to fully engage in these responsibilities before nominating.

Governance Framework

LGANT operates under a comprehensive governance framework, primarily defined by our [Constitution](#) and [Governance Charter](#). These documents outline our purpose, structure, and operational guidelines. We strongly recommend that you familiarise yourself with these documents before submitting your nomination.

Nomination Process

As per LGANT's Constitution, the CEO shall call for nominations on or before the second Tuesday in September and close nominations on the first Tuesday in October (which is 1 October in 2024).

Please note that each nomination must be endorsed by a resolution at your Council meeting.

Only one elected member from each member council can be elected as a Director of the Board, and all others must be withdrawn from the election to any other positions, with the exception of City of Darwin which may have up to two positions on the Board (e.g. their nominated Director and an ordinary Director).

Please refer to LGANT's [Constitution](#) for more information of the nomination and voting process.

Annual General Meeting

The election will take place at our Annual General Meeting which is being held on 7 November 2024.



Nomination Form

The nomination form outlines the specific requirements for nomination. Please complete and lodge by the stated due date. You will be provided an opportunity to talk to your nomination at the Annual General Meeting.

If you have any questions about the nomination process or the responsibilities of a LGANT Board Director, please don't hesitate to contact our office.

We appreciate your interest in contributing to the important work of LGANT and look forward to receiving your nomination.

LGANT Board Director nomination form

Nominating Council:	
Name of Elected Member nominee:	
Nominee Director ID No:	
Nominee position eg. Lord Mayor, Mayor/President, Deputy Mayor/President, or Councillor	
Nominee phone number:	
Nominee email address:	
Position (please indicate):	<input type="checkbox"/> President
	<input type="checkbox"/> Vice-President – Municipal
	<input type="checkbox"/> Vice-President - Regional
	<input type="checkbox"/> Board Director – Regional and Shire
	<input type="checkbox"/> Board Director – Municipal
Skills and Experience: (please provide brief details)	<input type="checkbox"/> Strategic Planning Details:
	<input type="checkbox"/> Risk Management Details:

	<input type="checkbox"/> Financial Management Details:
	<input type="checkbox"/> Stakeholder Engagement Details:
	<input type="checkbox"/> Legal Governance Expertise Details:
	<input type="checkbox"/> Local Government Knowledge Details:
	<input type="checkbox"/> Leadership Experience Details:
	<input type="checkbox"/> Other (please specify) Details:
Board Director experience:	Position:
	Date:
	Organisation:
	Position:
	Date:
	Organisation:
	Position:
	Date:
Organisation:	

Tertiary qualifications (eg. certificates, diplomas, degrees, etc):	Qualification:
	Field of Study:
	Institution:
	Qualification:
	Field of Study:
	Institution:
	Qualification:
	Field of Study:
	Institution:

Declaration

- I confirm that I have read and understood the LGANT Constitution and Governance Charter.
- I am aware of the responsibilities of a Director under the *Corporations Act 2001* and am willing to fulfil these duties if elected.
- I confirm that I am eligible to serve as a Director under the *Corporations Act 2001* and am not disqualified from managing corporations.
- I have included a short biography (with a high-resolution digital photo) outlining my relevant skills, experience and qualifications as part of this application.

Elected member nominee full name:	
Nominee signature:	Date:
Council endorsement: I confirm that this nomination has been endorsed by a resolution of [Council Name] .	

Council resolution number:	
Council resolution date:	
Council CEO name:	
Signature:	Date:

Completed nomination form and short biography on each nominee must be submitted to LGANT by CoB 1 October 2024 to: info@lgant.asn.au.

Privacy Statement

The personal information collected on this form is being gathered for the purposes of the LGANT Board nomination and election process. This information will be used to assess your eligibility and suitability for a Board position and may be shared with LGANT member councils as part of the election process.

7 NEXT MEETING

8 MEETING DECLARED CLOSED