

Local Authority Policy

Reference Number: P20
Organisational Unit: All
Responsible Position: Chief Executive Officer
Relevant Delegations: DA98
Date Adopted: 25 May, 2017
Review Date: Every four years

Objectives

1. To ensure that Local Authorities can provide effective representation and are recognized as a valuable resource for both the community and the Council.
2. To ensure Local Authorities provide good advice to Council.
3. To ensure the community have a strong voice and are actively engaged in their local community affairs.
4. To ensure Local Authorities are empowered to make decisions for the community through effective governance structures leading to improved outcomes for all Central Desert Regional Council residents.

Legislation and Reference

Local Government Act
Guideline 8 – Regional Councils and Local Authorities
Council Strategic Plan
Code of Conduct
Good Governance Empower Kit

Scope

This Policy applies to all Local Authorities and their members' in the Regional Council area or Central Desert region from the date of approval of this policy by the Council.

Policy

This Policy brings into effect the 2013 changes to the *Local Government Act* and associated guidelines to establish Local Authorities in the Northern Territory and applied to Central Desert Regional Council.

General

Local Authorities will be actively supported by the Council to ensure opportunities exist for residents to meaningfully engage in local government processes.

Local Authorities have an advisory role to Council; therefore decisions made in relation to the activities of the Council will need the approval of Council, except where there is delegated authority.

Delegations

Under Section 32 of the *Local Government Act*, Council may delegate specific functions to a Local Authority. Delegations will be reviewed annually.

Local Authority Areas

Local Authority areas are defined as the community and its surrounding area as determined by Council.

Membership

The number of members for each local authority will differ based on the size of the community. This is to ensure that the full membership of the Local Authority is present as often as possible and the achievement of quorum is likely. Should less than six people nominate, the Council will encourage people to nominate. If

there are still less than six members, the Council will write a letter to the Minister for Local Government and Community Services to discuss the next steps.

As per the Guideline 8, Council will decide on the final number of members per local authority as outlined in the below table. The Council may request the Minister to allow more than 14 members on a local authority.

Community	Number of Appointed members
Anmatjere	9
Atitjere	7
Engawala	7
Lajamanu	10
Laramba	7
Nyirripi	7
Willowra	7
Yuelamu	7
Yuendumu	10

Local Authority membership is made up as per Section 53C of the *Local Government Act* and includes Ward Councillors for the Ward in which a Local Authority is located. A quorum will consist of a majority of the membership of a local authority.

Nomination and Appointment

The term of a Local Authority member will be consistent with the term of the Council. At the end of each Council term, Local Authority members must re-nominate and be re-appointed by the new Council by an election process method deemed suitable by community members.

A Local Authority should:

1. Be representative of key groups within the local authority area.
2. Include people who are committed to attend and participate in meetings for the benefit of residents within the local authority area and give feedback both ways between community and Council.
3. Be comprised of members on the electoral role.
4. Be diverse in its make-up. Including men and women, younger and older members.

A list of the nominated members for each local authority will be considered by the Council prior to the membership being appointed by the Council. The most senior Council employee on community is not eligible for nomination or appointment to a local authority.

In the event of a vacancy, a new member will be nominated and appointed in accordance with Guideline 8 and this Policy.

Local Authority Meetings

The Chief Executive Officer will ensure a minimum number of meetings are planned each financial year as per Guideline 8.

Local authority meetings are convened every two months by the CEO (or delegate) and scheduled in accordance with the Council's meeting calendar.



two ways :: one outcome

The Chairperson of a Local Authority *may* reconvene a meeting by providing notice to the CEO or delegate at least three days prior to the scheduled meeting date. A meeting may be reconvened twice only within one month of the initial planned meeting date.

Each Local Authority will:

1. Elect a Chairperson
2. Be supported by a Council staff member who will provide administrative and procedural advice and support but will not run the meeting.
3. Be advertised through meeting notices with draft agendas at least one week before the meeting date.
4. Follow and adapt the draft agenda suggested by Council and in accordance with the Ministerial guidelines.
5. Use the Good Governance Empower Kit as a guide for running meetings.

If changes occur to a scheduled local authority meeting, members of the local authority must be given reasonable notice of the rescheduled date, time, and place for the meeting.

Community meetings can be called at any time. These meetings will determine their own procedures. Decisions made at these meetings may be used to advise the Local Authority and Council.

Roles and Responsibilities

Local Authorities

1. Provide advice to Council and will operate within their specific delegations.
2. Will advise on strategic, not operational matters of the community.
3. Determine what to put into their reports to Council.
4. Will report back to their community about their advice to Council and take community views to Council.

Council Support Staff

1. Will advise the meeting times and draft agenda at least one week prior to the meeting date.
2. Will present relevant reports and answer questions from the members at the meeting.
3. Will provide the minutes of the meeting and advice to Council to the CEO (or delegate) within one week of the meeting date.
4. The most senior position of each Council Service will attend every Local Authority in their community.
5. Where this is not possible, it is the responsibility of the Service Manager or Director to attend the local authority meeting.
6. Each Local Authority meeting will have a member or either the Executive Management Team, a Regional Services Manager, or the Governance Manager in attendance.

Local Authority Consultation

Anyone that contacts the Council wishing to make a deputation or presentation to a local authority must seek permission from the local authority Chairperson by completing a Deputation Request Form prior to the agenda closing. The local authority Chairperson has the right to not approve a deputation.

Special Local Authority Meetings

Special Local Authority meetings are convened by the Chairperson of the local authority through the CEO (or delegate).

A special Local Authority meeting will only be called to deal with important issues that cannot wait until the next scheduled Local Authority meeting.

The same rules will apply for Special Local Authority meetings as per ‘Local Authority Meetings’.

Revocation of Appointment of Membership

Local authority members may have their membership dismissed by Council if they:

1. Commit a serious offence or are sent to prison for one year (Council to use its discretion).
2. Miss three meetings with an acceptable apology.

Local authority members will immediately cease being a member of a local authority if they:

1. Resign in writing.
2. Pass away.
3. Finish their term.
4. Are dismissed by Council.

Revocation Through Absence

The following procedure will be taken before a member is dismissed due to absence:

1. Following the absence at two consecutive meetings, the Chair of the Local Authority or the Council President may write a letter informing the member that their membership may be revoked if they are absent at the next local authority meeting without an acceptable apology.
2. If the member is absent at a third consecutive meeting without an acceptable apology, the Council President may write to the member advising them that a recommendation for their dismissal will be tabled at the next Ordinary Council meeting.

Code of Conduct

Local Authorities within Central Desert Regional Council will operate under the Council’s Code of Conduct.

Members who breach the Code of Conduct may be dealt with through a disciplinary process or dismissed.

History

Date	Comment
25 May 2017	Anmatjere vacancies changed from 10 to 9 - OC083/2017
5 February, 2016	Reviewed and updated to new template.
7 February, 2014	Adopted by Council – replaces Local Board Policy