

## 1. POLICY CERTIFICATION

<b>Policy title:</b>	<b>Local Authority Policy</b>
<b>Policy number:</b>	<b>LA001</b>
<b>Category:</b>	<b>Policy</b>
<b>Classification:</b>	<b>Local Authority</b>
<b>Status:</b>	<b>Approved</b>

## 2. PURPOSE

Local Authorities are formed to achieve integration and involvement of local communities in the system of Local Government. This policy has been developed to ensure that Local Authorities are run in accordance to the provisions of the *Local Government Act* (the Act) and that the community has a strong voice and is actively engaged in their local community affairs.

## 3. ORGANISATIONAL SCOPE

This policy applies to all Roper Gulf Regional Council’s Local Authorities.

## 4. POLICY STATEMENT

The Local Authority established within the boundaries of Roper Gulf region shall:

- advise Roper Gulf Regional Council (RGRC) on service delivery plans including infrastructure requirements for communities and associated outstations, or local region or wards, and to contribute to the development of Councils Regional Plans and Regional Management Plans,
- be actively supported by the Council to ensure opportunities exist for residents to meaningfully engage in local government processes,
- alert and advise RGRC on new and emerging issues within the scope of RGRC activity,
- advise on specific Council, community and social projects that impact on community or region,
- advise and support the RGRC staff on local implementation of the Regional Plan, particularly in the area of cross-cultural best practice in the governance and service delivery, and
- respond to identified community needs, if appropriate, by participating and organising activities such as community events, youth, community safety, housing and community planning and infrastructure development.

## 5. DEFINITIONS

<b>Councillor</b>	An elected member of Roper Gulf Regional Council
<b>G&amp;CP</b>	Governance, Corporate Planning & Compliance business unit
<b>LA</b>	Local Authority
<b>Mayor</b>	The principal member of Roper Gulf Regional Council
<b>RGRC</b>	Roper Gulf Regional Council

<b>CSC</b>	Council Services Coordinator
<b>Ward Councillor</b>	The elected member representing the Ward

**Appointed Member**

means a local authority member who has been appointed pursuant to section 53C(1)(b) of the Act. [Section 4, Guideline 8] – Local Authority Member

**Members**

includes appointed members and non-appointed members.[Section 4, Guideline 8] – all members of the Local Authority

**Non-appointed Member**

means a person who is local authority member by virtue of section 53C(1)(a) or (2) of the *Local Government Act*. [Section 4, Guideline 8] – Elected Member of the Ward and the Mayor

**Provisional Meeting**

means, at the time and place set for a local authority meeting when a quorum has not been established, but a majority of appointed members.[Section 4, Guideline 8]

*Note: A provisional meeting is able to make recommendations to council pursuant to clause 13 (Provisional meeting where quorum not present) but not approve the minutes of the previous meetings. There must be more than half of the appointed members present. [Section 4, Guideline 8]*

**6. Principles**

**6.1 Roles and Functions of a Local Authority**

The Local Authority shall be a voluntary group that provides advice and recommendation to RGRC on their communities’ issues. Recommendations made at Local Authority meetings are not ‘final’ decisions as Council needs to decide on all issues or requests from all communities.

The functions of a Local Authority include:

- to involve local communities more closely in issues related to local government;
- to ensure that local communities are given an opportunity to express their opinions on questions affecting local government;
- to allow local communities a voice in the formulation of policies for the locality as well as policies for the area and the region;
- to take the views of local communities back to council and act as advocates on their behalf;
- to take Council information and decisions back to the community;
- to contribute to the development of the relevant regional management plan and the council strategic and regional (business) plan;
- to provide a representative of the Local Authority for employment selection advisory panels in relation to managerial positions in the Local Authority area.

## **6.2 Membership**

### **6.2.1 Membership size**

The size of the Local Authority should reflect the community size and structure representing key groups in the community. The membership of Local Authority will include community members, Ward Councillors and Mayor of the RGRC. The number of community members that a Local Authority should have is a minimum of six (6) and up to a maximum of fourteen (14).

People nominated for Local Authority membership are to be approved by the Council at the next Ordinary Meeting of Council.

### **6.2.2 Period of Membership**

Local Authority members will be appointed for the term of Council, (4 years). Once the new Council is elected, Council will call for new nominations or approve the current membership. The previous members will be eligible to apply for new Local Authority membership.

### **6.2.3 Eligibility for Membership**

Community residents over 18 years who live in the Ward, for the majority of the time, can nominate or be nominated for Local Authority member except that two (2) members of a Local Authority maybe under the age of 18 years. To become a Local Authority member the candidate needs to fill in a Local Authority nomination form. The completed nomination form can be handed directly to Council Services Office, emailed to the Local Authority Support Coordinator [roper.governance@ropergulf.nt.gov.au](mailto:roper.governance@ropergulf.nt.gov.au) or tended at the next Local Authority meeting. The Governance, Corporate Planning and Compliance business unit will submit the nomination form to Council to deliberate on at the Ordinary Meeting of the Council.

Council will have the final say on Local Authority membership.

### **6.2.4 Membership termination**

Local Authority shall have the same character and integrity requirements. Local Authority members stop being members if any of the s37(1) *Local Government Act* prescribed criteria becomes applicable to them.

### **6.2.5 No Proxies**

A member of a Local Authority may not be represented by a proxy (substitute) during a meeting or provisional meeting. [Section 12.0, Guideline 8]

## **6.3 Local Authority meetings:**

The following points cover the running of Local Authority meetings. A Local Authority:

- shall hold a minimum of four (4) meetings per year,
- shall elect a permanent chair at the first meeting of the Local Authority,

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- the quorum for a Local Authority meeting will be of half plus one of the members,
- a provisional meeting will consist of half plus one of Local Authority members,
- supported by the RGRC staff who will provide the Local Authority's secretariat and act as advisor to the chair and members but will not run the meeting,
- are advertised through meeting notices with draft agendas at least three days before the meeting,
- follow and adopt the draft agenda suggested by Council,

### **6.3.1 When reporting to and from the Local Authority:**

- Local Authority members will advise on strategic, not operational matters (operational matters are the responsibility of Council Officers),
- the Council discusses both the Local Authority reports and the management responses and decides on actions,
- the Mayor and Ward Councillors will report to Local Authorities on Council decisions and take the views of Local Authority to Council,
- Local Authority report to their community about their advice to Council and take community views to Council,

Each new Local Authority Member will receive training at the first meeting on roles and responsibilities, meeting procedures, Council responsibilities and separation of powers.

Anyone wishing to make a deputation to a Local Authority must seek permission from the Local Authority's Chairperson in writing at least 14 days prior to the meeting. The procedures for deputations and request to attend a Local Authority meeting can be found on the Council website [www.ropergulf.nt.gov.au](http://www.ropergulf.nt.gov.au).

### **6.3.2 Provisional Meeting where quorum not present:**

- In the event that a quorum is not present for a meeting, but the majority (half plus one) of appointed members are present, the members that are in attendance may hold a provisional meeting.[Section 13.1, Guideline 8]
- During a provisional meeting, all agenda items may be discussed and minutes must be kept.[Section 13.2, Guideline 8]
- Members at the provisional meeting may, by majority vote, make recommendations to the council, including Local Authority projects, provided any such recommendation is specifically qualified as being a recommendation of a provisional meeting, rather than the Local Authority.[Section 13.3, Guideline 8]
- A provisional meeting may not approve the minutes of a Local Authority meeting but a Local Authority may approve the minutes of a provisional meeting.[Section 13.4,

Guideline 8]

- A provisional meeting does not have the powers or functions which a Council may have delegated to a Local Authority.[Section 13.5, Guideline 8]

#### **6.4 Administrative support and secretariat**

Local Authority meetings are convened by the CEO and the Governance, Corporate Planning and Compliance Unit will be responsible for coordinating the Local Authority meetings.

Dates for Local Authority meetings shall be set at the beginning of the calendar year by Council. If there are any changes to the scheduled meeting time, members of the Local Authority must be given at least seven days notice about the rescheduled date, time and venue for the meeting.

Relevant SASO and Governance staff will provide administration support as required for creating and distributing agenda, recording minutes and organising meeting venue.

The Governance, Corporate Planning and Compliance Unit will be a central depository and will be responsible for keeping records of Local Authority Member's details, agenda, minutes and attendance.

#### **6.5 Special Meetings**

Special Meetings can be called at anytime. Special Meetings are held when:

- a particular item of business needs to be dealt with before the next scheduled Local Authority Meeting;
- a notice of the meeting is to be given to the Local Authority Members at least 4 hours before the scheduled time of the Special Meeting. The notice must indicate the time, location and item of business that the Local Authority Members are meeting to deal with.
- *'a Special Meeting may deal only with the business for which the Special Meeting was convened unless all members of the Local Authority are present at the time of the Special Meeting and unanimously agree to deal with other business'* Local Government Act s 6.1

Special meetings will incur a fee as per the Fees and Charges Schedule in the Regional Plan.

#### **6.6 Community Meetings**

Community meetings can be called at any time. Community meetings are different from Local Authority meetings and these types of meeting will determine their own procedures. Decisions made at these meetings may be used to advise the Local Authority.

### 6.7 Local Authority member allowances

Local Authority member allowance is a sum of money provided to the Local Authority member when a member attends a Local Authority meeting.

Roper Gulf Regional Council will provide Local Authority member allowance to the member in a manner that adheres to the *Local Government Act*, *Local Government Regulations* and Local Government Guideline 8.

Local Authority member as soon as practicable after which the meeting occurs.

RGRC staff attending a Local Authority meeting, as a Local Authority member within that staff members normal hours of work, will not be paid a Local Authority member allowance. If a meeting is held outside the staff members normal hours of work, that staff member, who is a Local Authority member will be entitled to the Local Authority member allowance.

## 7. REFERENCES

Acknowledgements (original author/source documents)	
Related Policies	CL001 Members Code of Conduct CL002 Members' Disciplinary Policy LA002 Local Authority Meeting Procedures Policy
Related Publications	<i>Local Government Act</i> <i>Local Government Guideline 8: Regional Councils and Local Authorities</i>
Relevant Forms	<i>Local Authority Member Nomination Form</i> <i>New Member Details Form</i>
Guideline 8, January 2016	Guideline 8 (Regional Councils and Local Authorities), Department of Local Government and Community Services, Northern Territory]

## 8. DOCUMENT CONTROL

Policy number	<b>LA001</b>
Policy Owner	<b>Governance</b>
Endorsed by	<b>OCM</b>
Date approved	<b>29 January 2014</b>
Revisions	<b>30 March 2016, 23 August 2017</b>
Amendments	<b>Replaces LB001 Local Board Policy prior 29 January 2014, 23 August 2017</b>
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**9. CONTACT PERSON**

Contact person

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Planning**

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