

1. POLICY CERTIFICATION

Policy title:	Local Authority Policy
Policy number:	LA001
Category:	Policy
Classification:	Local Authority
Status:	Approved

2. PURPOSE

The object of Local Authorities is to achieve effective integration and involvement of local communities in the system of local government as outlined at Chapter 5 of the *Local Government Act 2019*.

3. ORGANISATIONAL SCOPE

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

4. POLICY STATEMENT

The purpose of this policy is to support and facilitate local community engagement and to ensure Local Authorities are empowered to make decisions for their communities through effective governance structures.

5. DEFINITIONS

Councillor	An elected member of Roper Gulf Regional Council.
Authorising Manager	For the purposes of this Policy the authorising Manager is the Manager responsible for the administration of Council and Governance functions. The authorising Manager is a function, not a position title, and outlined in the Organisational Structure.
LA	Local Authority.
Mayor	The principal member of Roper Gulf Regional Council.
RGRC	Roper Gulf Regional Council.
CSC	Council Services Coordinator.
Ward Councillor	The Elected Member representing the Ward.
Appointed Member	Any person appointed by Council as a member of the Local Authority, including Elected Members of Council.
Quorum	The minimum member attendance at a Local Authority Meeting allowable for the Local Authority to function in a decision-making capacity. In practice this is 50% plus one Members of the Local Authority.
Provisional Meeting	<p>A meeting of the Local Authority where a quorum was not attained, but at least one third of Members were in attendance.</p> <p>Provisional meetings count towards the minimum number of meetings that a Local Authority must undertake within each financial year period.</p> <p>Provisional Meetings and Provisional Decisions are outlined at Clause 12 of the <i>Ministerial Guideline 1 – Local Authorities</i>.</p>

6. Principles

6.1 Roles and Functions of a Local Authority

The Local Authority shall be a voluntary group that provides advice and recommendations on their communities' issues to Council. 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; and
- to contribute to the development of the relevant regional management plan and the council strategic and regional (business) plan.

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 includes at least one (1) ward Councillor, as well community members. The number of members that a Local Authority should have is a minimum of six (6) members and up to a maximum of fourteen (14).

6.2.2 Period of Membership

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

6.2.3 Eligibility for Membership

Community residents who live in the Ward, or other such persons with sufficient connection to the community in the Local Authority's area, can nominate or be nominated for Local Authority. 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 Authorising Manager roper.governance@ropergulf.nt.gov. The Authorising Manager's business unit will submit the nomination form to Council to deliberate on at the Ordinary Meeting of the Council.

It is Council will that determines Local Authority membership and appoints nominees.

Nomination and Appointment

6.2.4 Membership appointment;

In the event of a vacancy existing on a Local Authority, the Chief Executive Officer shall, as soon as practicable, call for nominations from members of the Authority's community who are interested in becoming appointed to the Local Authority. The nomination period shall comprise of a minimum of 21 business days.

The call for nominations shall be promulgated electronically on Council's website and social media, as well as physically by means of notices and posters in the community itself.

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Nominations shall be assessed by Council itself at its first meeting after the nomination period closes.

Upon assessment of nominations, Council shall appoint the most suitable candidate to the vacancy via resolution.

The assessment and appointment process shall be a separate agenda item at the Council Meeting.

6.2.5 Membership termination

Local Authority members shall have the same character and integrity requirements as Elected Members. Local Authority members cease being members if any of the s47(1) *Local Government Act 2019* prescribed criteria becomes applicable to them with the exception of s47(1)(d).

Furthermore, Local Authority members may have their membership rescinded by Council under the following circumstances:

- 1) If they fail to attend two (2) consecutive meetings without their apology being tendered and accepted by the Local Authority, or by Council;
- 2) If Council believes that the member is not performing their duties to an acceptable standard, or, if it loses confidence in the member's ability, commitment, or performance; and
- 3) For breaching Council policy, or for conduct which brings the Local Authority or Council into disrepute, or any other conduct which is inconsistent with the public interest.

The final decision to appoint persons to a Local Authority as appointed members rests with Council, which may rescind its decision and appointment if it believes it is in the public interest to do so.

6.2.6 No Proxies

A member of a Local Authority may not be represented by a proxy (substitute) during a meeting or provisional meeting.

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 financial year;
- shall elect a chair at the first meeting of the Local Authority;
- the quorum for a Local Authority meeting will be of half plus one (1) of the members;
- a provisional meeting will consist of one third of Local Authority members;
- is supported by the Council staff who will provide the Local Authority's secretariat and act as advisor to the chair and members;
- are advertised through meeting notices with draft agendas at least three (3) days before the meeting; and
- are subject to the direction of Council who has override provisions.

6.3.1 When reporting to and from the Local Authority:

- Local Authority members will advise on strategic, not operational matters;
- Council discusses both the Local Authority reports and the management responses and decides on actions; and
- Local Authority members report to their community about their advice to Council and take community views to Council;

Each Local Authority Member will receive training on roles and responsibilities, meeting procedures, Council responsibilities and applicable delegations.

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6.3.2 Deputations

Anyone wishing to make a deputation to a Local Authority must seek permission from the Local Authority's Chairperson or Authorising Manager, in writing at least ten (10) business days prior to the meeting. The procedures for deputations and request to attend a Local Authority meeting can be found on the Council website.

6.3.3 Provisional Meeting where quorum not present:

In the event that a quorum is not attained for a meeting, but at least one third of members are present, the members that are in attendance may hold a provisional meeting:

- During a provisional meeting, all agenda items may be discussed and minutes must be kept.
- 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.
- 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.
- A provisional meeting does not have the powers or functions which a Council may have delegated to a Local Authority.

6.4 Administrative support and secretariat

Local Authority meetings are convened by the CEO and implemented by the Authorising Manager and associated business unit, who are responsible for coordination of 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 (7) days notice about the rescheduled date, time and venue for the meeting.

The Authorising Manager's business unit shall coordinate administration support as required for creating and distributing agenda, recording minutes and organising meeting venue.

The Authorising Manager and business unit will be the central depository for keeping records of Local Authority Member's details, agenda, minutes and attendance.

6.5 Special Meetings

The Part 6.1 provisions of the *Local Government Act 2019* pertaining to Special Meetings of Council **do not** apply to Local Authorities.

Local Authority Meetings are convened by the Chief Executive Officer in accordance with a decision of Council (via resolution), or upon request of the Local Authority Chairperson.

External parties *may* request a Local Authority Meeting to be held for special purposes, however such a meeting shall be convened as an *additional* meeting of the Local Authority rather than a Special Meeting as applicable to Council.

Any additional meeting of a Local Authority is subject to the ordinary *Local Government Act 2019* requirements, including agenda items / contents, minutes, and deadlines.

External bodies requesting an additional meeting for special purposes may be required to reimburse costs of arranging and conducting that meeting.

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6.6 Community Meetings

Community meetings can be called at any time. Community meetings are different from Local Authority meetings and these types of meetings 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.

Council will provide Local Authority member allowance to the member in a manner that adheres to the *Local Government Act 2019* and its statutory instruments.

Local Authority member allowances are processed as soon as practicable after the meeting occurs.

Council 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

Applicable Law	<ul style="list-style-type: none"> • <i>Local Government Act 2019;</i> • <i>Local Government (General) Regulations 2021;</i> and • <i>Ministerial Guideline 1: Local Authorities</i>
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8. DOCUMENT CONTROL

Policy number	LA001
Policy Owner	Governance
Endorsed by	SLT
Date approved	29 January 2014
Revisions	30 March 2016, 23 August 2017, 17 April 2019, 29 May 2019
Amendments	Replaces LB001 Local Board Policy prior 29 January 2014, 23 August 2017, 29 August 2018 FCM, 17 April 2019 OCM, 29 May 2019 FCM, 17/06/2022
Next revision due	June 2024

9. CONTACT PERSON

Contact person	Manager Corporate Compliance
Contact number	08 8972 9005