



Victoria Daly
REGIONAL COUNCIL

1.1 PURPOSE

Local Authorities are governed by the *Local Government Act 2019* ('the Act'), Local Government Regulations and Ministerial Guideline 1. The purpose of this policy is to establish the process for appointments, resignations and terminations of Local Authority membership and to provide information on delegations, Local Authority meetings and sitting fees.

1.2 Scope

This policy applies to Victoria Daly Regional Council's Local Authorities.

POLICY STATEMENT

Local Authorities represent the constituents of their communities and are formed to integrate local decision making within the local government sector. This policy guides good governance practices in the appointment, resignation and termination of Local Authority members.

2.1 DELEGATIONS

- 2.1.1 Local Authorities have an advisory role to Council and as such, cannot make any decisions on behalf of Council unless a specific delegation has been issued to the Local Authority via Council resolution.
- 2.1.2 Where Council issues a delegation, that delegation will be made to individual Local Authorities detailing what authority and limitations apply.
- 2.1.3 Council can set different delegations for each of its Local Authorities.
- 2.1.4 Local Authority decisions and recommendations will need endorsement via Council resolution before they can be progressed, except where there is delegated authority.

2.2 Nomination and Appointment

Council is committed to improving community relations and fostering understanding and tolerance between all members of the community. Council encourages community members from all demographic sections of the community to represent their community on the Local Authority.

- 2.2.1 Council will seek nominations from within each community where the Minister has identified a Local Authority.
- 2.2.2 The CEO will call for nominations as soon as practicable after a vacancy arises and will allow for at least twenty one (21) days for nominations to be received.
- 2.2.3 Notice of Local Authority vacancies will be published on Council's website, on Council social media platforms and will be displayed on community notice boards.



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- 2.2.4 The notice of vacancy will include where nomination forms can be accessed, the closing date for nominations and where the nominee can submit the form.
- 2.2.5 Nominations are to be made in writing via the authorised Local Authority nomination form, available on Council's website here <https://www.victoriadaly.nt.gov.au/local-authorities/> or at any Council office.
- 2.2.6 Nominations to fill a vacancy within a Local Authority will only be accepted from a permanent resident of a Ward in which the Local Authority has been established.
- 2.2.7 Nominations to fill a vacancy within a Local Authority will be discussed at the next Local Authority meeting, and a recommendation to fill the vacancy submitted to Council for consideration at the next Ordinary Council meeting, unless the Local Authority membership has been rescinded in which case nominations would be considered by Council only.
- 2.2.8 The minimum age to become a Local Authority member is fifteen (15) years.
- 2.2.9 Following an election Council may rescind Local Authority membership and call for nominations by resolution of Council.
- 2.2.10 Filling of vacancies within three (3) months of a local government general election year are to occur after the declaration of the incoming Council.
- 2.2.11 All Local Authority nominations are considered by Council at the first ordinary meeting of Council after nominations close and appointment is established by resolution of Council.
- 2.2.12 Members will be appointed for a term not exceeding four (4) years.
- 2.2.13 VDRC staff members at the level of Team Leader and above are not permitted to hold a position on a Local Authority (Council resolution [190/2021])
- 2.2.14 All nominees must comply with the Northern Territory Chief Health Officer orders and must be willing to present their proof of Covid-19 vaccination.

2.3 Resignation and Termination

- 2.3.1 Resignations are to be made in writing to the Council Operations Manager of the Ward in which the Local Authority is established.
- 2.3.2 In accordance with Section 7.1(f) of the Ministerial Guideline 1, the membership of an appointed Local Authority member may be revoked by Council where the member is absent without permission of the Local Authority from two consecutive meetings.
- 2.3.3 If an apology is received from a Local Authority member, it must be noted in the minutes of the Local Authority meeting and must be accepted or rejected by the Local Authority at the meeting.
- 2.3.4 Membership shall be revoked by resolution of Council where a member ceases to permanently reside within the Ward in which the Local Authority has been established.
- 2.3.5 All Local Authority resignations are noted by Council at the next Ordinary meeting following receipt of the resignation.



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2.4 Local Authority Meetings

- 2.4.1 A quorum at a meeting of a Local Authority consists of a majority of its members holding Office at the time of the meeting.
- 2.4.2 If a quorum is not attained for a Local Authority meeting, but one third of total members are present, the members who are in attendance may hold a provisional meeting (refer to Ministerial Guideline 1 for more information <https://cmc.nt.gov.au/>)
- 2.4.3 The elected member for the Ward in which the Local Authority is established is considered to be counted in the quorum and is eligible to vote.
- 2.4.4 In accordance with Section 97 of the Act meetings of a Local Authority are convened by the CEO.
- 2.4.5 Each Local Authority will meet at least four (4) times annually as per schedule set by the CEO.
- 2.4.6 The Council Operations Manager in each community will provide secretarial and executive support.
- 2.4.7 Local Authority meetings must allow for attendance via audiovisual conferencing for members, staff and guests who are unable to attend the meeting in person.
- 2.4.8 The agenda for the Local Authority meeting must be submitted to regional office and will be published on Council's website at least three (3) business days before the meeting.
- 2.4.9 The unconfirmed minutes of the Local Authority meeting must be sent to regional office within ten (10) business days and will be published on Council's website and included in the agenda for the next ordinary meeting.
- 2.4.10 Council will consider all recommendations and will respond to the Local Authority at the subsequent meeting.
- 2.4.11 Each Local Authority must appoint a Chairperson for a period of no less than six (6) months and no more than twelve (12) months by resolution of the Local Authority.
- 2.4.12 It is up to each Local Authority to decide if they wish to appoint a Deputy Chairperson.
- 2.4.13 Each Local Authority member must consider if they have a conflict of interest in the matter and if they do, they must leave the meeting while the matter is being considered.

2.5 Local Authority Project Funding

Local Authorities receive annual funding. The following principles will ensure compliance is met in accordance with funding agreements:

- 2.5.1 Projects chosen must not jeopardise the financial, social or environmental sustainability of Council;
- 2.5.2 ongoing maintenance costs to projects funded with Local Authority special project grants must be considered;
- 2.5.3 projects that need additional funds from Council or rely upon grant applications must go to Council for approval;
- 2.5.4 projects that rely on in-kind support from Council must be related to core services and must have prior approval from the Council;
- 2.5.5 the purchase of any product or service must comply with the Council's Procurement Policy (3.2.11);
- 2.5.6 cash will not be given out under any circumstances.



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- 2.5.7 Funding should not go to projects that are ordinarily the responsibility of another level of government.
- 2.5.8 Salaries cannot be paid for with this funding.
- 2.5.9 Vehicles cannot be procured with this funding.
- 2.5.10 The use of project funds must be approved at the Local Authority meeting with a quorum.
- 2.5.11 Any real or perceived conflicts of interest must be declared and the member must remove themselves from the meeting before a decision is made when making decisions on use of Local Authority project funding.

2.6 Local Authority sitting fee for Members and Council staff

- 2.6.1 Local Authority member allowance is a sum of money provided to the Local Authority member when a member attends a Local Authority meeting.
- 2.6.2 Council will provide Local Authority member allowance to the member in a manner that adheres to the *Local Government Act 2019*, Regulations and Ministerial Guideline 1.
- 2.6.3 Members of a Local Authority are eligible to claim kilometre allowance, if having to travel more than 25 kilometers combined to attend a meeting, by completing a Local Authority claim form.
- 2.6.4 Accommodation costs may be paid if the member is required to stay overnight to attend Local Authority business. Prior notification and authorisation by the Council Operations Manager is required.
- 2.6.5 Elected members are not entitled to the sitting fee for attending Local Authority or provisional meetings.
- 2.6.6 In accordance with Section 174(2) of the Act it is a matter for the CEO to determine whether Council staff receive payment for attending a Local Authority meeting or provisional meeting.

Policy Number	LGP026 Replacing 1.1.10 Local Authorities
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