

TITLE:	Local Authorities Establishment Policy
DIVISION:	Corporate
ADOPTED BY:	Barkly Regional Council

DATE OF ADOPTION: February 2019

DATE OF REVIEW: February 2022

MOTION NUMBER:	OC 94/19
POLICY NUMBER:	CP19
AUTHORISED:	Barkly Regional Council

THIS POLICY APPLIES TO:

All employees of the Barkly Regional Council and its Elected Members.

SUMMARY

The aim of all policy is for Councillors to provide strategic input into the effective operational framework of the organisation the Local Government Act. This Policy sets out arrangements for the establishment of Local Authorities. The policy includes definition of the area of each Authority, the nomination and appointment of Members, their term of office and the selection process.

OBJECTIVES

To facilitate the establishment of Local Authorities.

BACKGROUND

The Local Government Act and relevant Ministerial Guidelines require the Council to establish and maintain local authorities. To achieve this, the Council must have a policy which sets out how local authorities are to be established.

POLICY

Establishing the Area of Each Local Authority

The area for each Local Authority is defined as the community/township in which the Local Authority is based and other areas occupied by those Council residents who identify with that community/township for accessing services or for cultural reasons.

Number of Appointed Members

Each Local Authority must have a minimum of six (6) appointed members. A period of twenty-one (21) days' notice must be given for nominations to be received.

- Nominations are to be made on a form approved by the CEO.
- Consideration must be given to whether an interpreter or Community Liaison Officer should be utilised throughout the nominations process.
- Nominations are to be made by two people over the age of eighteen (18) who are ordinarily resident in the area of that Local Authority.
 - Persons ordinarily residing in the Local Authority area who are over the age of eighteen are eligible to be nominated

- The nomination form must include a signed statement by the person being nominated indicating that he or she consents to the nomination and is eligible to be appointed.
 - Nominations are to be returnable to the CEO or a Council officer authorised by the CEO and who is working in the area of the Local Authority (the Receiving Officer).
 - A person who has been nominated may withdraw his or her nomination at any time by notice in writing to the Receiving Officer who will then advise the CEO.
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- The CEO must call for nominations as soon as practicable after a vacancy arises . This nomination must be advertised and promoted so that residents of the area know about the call for nominations, who to give the nomination to and the last date of nominations to be received.

The Selection Process

- On receipt of a valid nomination, the Receiving Officer shall immediately transmit an electronic copy to the CEO.
- As soon as practicable after the close of nominations, the CEO shall call a meeting of the Selection Panel for the purpose of considering the nominations received and making recommendations to Council for consideration at the first Ordinary Council meeting after the close of nominations.

A Selection Panel will be appointed for each Local Authority comprising of the CEO as Chairperson, at least one Councillor from the Ward in which the Authority is located and the Mayor or Mayor's nominee

The Selection Panel will consider nominations and make recommendations to the first Ordinary Meeting of the Council to be held after the close of nominations.

Selection Panels need not physically meet – business can be conducted using electronic or other means at the Chair's discretion.

Term of Appointment

Appointments to the Local Authorities are for a term of two (2) years

Vacancies and Revocation

Appointed membership position becomes vacant when a member resigns in writing and the appointment is revoked by the Council. Council must give consideration to revoking the appointment of an appointed member where a member is absent from two consecutive meetings of that Local Authority or if a member's behaviour is unsatisfactory or inconsistent with any BRC policy, guideline or Code of Conduct.

RISK MANAGEMENT

To enhance Council's policy development, Elected Members, employees, Local Authority Members, Council Committee Members, communities and stakeholders are encouraged to communicate any risks they perceive to the Chief Executive Officer.

REFERENCES

Local Authorities Operations Policy

LEGISLATION & STANDARDS

Local Government Act (NT) Guidelines 8

LINKS

https://legislation.nt.gov.au/LegislationPortal/Acts/By-Title#header_act_acc_L

RESPONSIBILITY & DELEGATION

CEO

EVALUATION AND REVIEW

Policy reviewed every three (3) years or when necessary to meet legislative change.