

Policy Name	Local Authority Policy
Policy Type	Governance
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## SUMMARY

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 and that the community has a strong voice and is actively engaged in their local community affairs.

## BACKGROUND

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

## POLICY STATEMENT

The Local Authority established within the boundaries of the West Daly region shall:

1. Advise West Daly Regional Council (WDRC) 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.
2. Be actively supported by the Council to ensure opportunities exist for residents to meaningfully engage in local government processes.
3. Alert and advise WDRC on new and emerging issues within the scope of WDRC activity.
4. Advise on specific Council, community and social projects that impact on community or region.
5. Advise and support the WDRC staff on local implementation of the Regional Plan, particularly in the area of cross-cultural best practice in the governance and service delivery.

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6. 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.

## TERMINOLOGY AND REFERENCES

**Appointed member** – means a local authority member who has been appointed.

**Member** – includes appointed members and non-appointed members.

**Non-appointed member** – means a person who is a local authority member by virtue.

**Provisional meeting** – means, at the time and place set for a local authority meeting when a quorum has not been established, a majority of appointed members

## PRINCIPLES

### Roles and Functions of a Local Authority

The Local Authority shall be a voluntary group that provides advice and recommendation to WDRC 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:

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

## Membership

### 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 WDRC. 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).

Where a vacancy exists the CEO will call for nominations as soon as practicable. Nominations will be advertised throughout the local community and on Council's

website and facebook page. Local Authority members are encouraged to liaise with community residents regarding nominating for the local authority.

Nominations will remain open for at least 21 days.

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

### 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. The previous members will be eligible to apply for new Local Authority membership.

### Eligibility for Membership

Community residents over 18 years of age who live in the ward, for the majority of the time, can nominate or be nominated for the Local Authority member.

To become a Local Authority member, the candidate needs to fill in a Local Authority Nomination Form. Nomination Forms are available from the Community Services Manager (CSM). The completed Nomination Form can be handed directly to the CSM or tendered at the next Local Authority meeting. The Nomination Form will then be given to the Governance Department and will be submitted to the Council for Council to deliberate on at the next Ordinary Meeting of the Council.

Council will have the final say on Local Authority membership.

### Membership Termination

Local Authority members stop being members if they:

- I. Resign in writing (written resignations are to be handed to the CSM);
- II. Do not attend two (2) consecutive meetings without an apology;
- III. Finish their 4-year term;
- IV. Convicted of a serious offence or are sent to prison (Council can use its discretion);
- V. Are dismissed by Council.

### No proxies

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

### Local Authority Meetings

The following points cover the running of Local Authority Meetings.

A Local Authority:

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- I. Shall hold a minimum of four (4) and a maximum of six (6) meetings per year;
- II. Shall elect a permanent chair at the first meeting of the Local Authority;
- III. The quorum for a Local Authority meeting will be of half plus one of the community-nominated members;
- IV. Supported by the staff of WDRC who will provide the Local Authority's secretariat and act as advisor to the chair and board but will not run the meeting;
- V. Are advertised through meeting notices with draft agendas at least three days before the meeting;
- VI. Follow and adopt the draft agenda suggested by Council.

#### When reporting to and from the Local Authority

- I. Local Authority members will advise on strategic, not operational matters (operational matters are the responsibility of Council Officers)
- II. The Council discusses both the Local Authority reports and the management responses and decides on actions;
- III. The Mayor and Ward Councillors will report to Local Authorities on Council decisions and take the views of the Local Authority to Council;
- IV. Local Authority report to their community about their advice to Council and take community views to Council.
- V. Each new Local Authority will receive training at its first meeting on roles and responsibilities, meeting procedures, council responsibilities and separation of powers.
- VI. Anyone wishing to make a deputation to a Local Authority must seek permission from the Local Authority's chair person in writing at least 14 days prior to the meeting.

#### Provisional Meeting where quorum not present

In the event that a quorum is not present for a meeting, but the majority of appointed members are present, the members that are in attendance may hold a provisional meeting.

- I. During a provisional meeting, all agenda items may be discussed, and minutes must be kept.
- II. Members at the provisional meeting may, by majority vote, make recommendations to the regional 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.
- III. 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.
- IV. A provisional meeting does not have the powers or functions which a council may have delegated to a Local Authority.

### Administrative support and secretariat

Local Authority meetings are convened by the CEO and the Governance Department will be responsible for coordinating the Local Authority meetings.

Dates for Local Authority meetings shall be set on the beginning of the calendar year. 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 re-scheduled date, time and venue for the meeting.

Relevant Community Services Managers or staff under the Community Services Managers will provide administration support as required for creating and distributing agendas, recording minutes and organising meeting venue.

Governance Department will be a central depository and will be responsible for keeping records of Local Authority Members' details, agendas, minutes and attendance.

### 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.

### Local Authority Member Allowances

Local Authority member allowance is a sum of money provided to the Local Authority member when member attends a Local Authority Meeting or Provisional Local Authority Meeting.

West Daly 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*.

Local Authority Members will be paid by no later than at the end of the month on which the meeting occurs.

WDRC 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.

Elected Members and Council staff are not entitled to a sitting fee for attending a Local Authority Meeting or Provisional Meeting.

Elected Members are entitled to an Extra Meeting Allowance pursuant to Guideline 2 for attending a Local Authority Meeting or Provisional Meeting.

Reimbursement of personal mileage expenses is allowed for all members where travel is of 20 kilometers or more. Mileage will be reimbursed at the rate approved by Council.

## **REFERENCES**

*Local Government Act*

*Local Government Guideline 8 - Regional Councils and Local Authorities*

## **FURTHER INFORMATION:**

*Chief Executive Officer*

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