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|--------------------------|--|------------------------|--------------|
| <b>TITLE:</b>            | Local Authorities Establishment Policy |                        |              |
| <b>DIVISION:</b>         | Corporate                              |                        |              |
| <b>ADOPTED BY:</b>       | Barkly Regional Council                |                        |              |
| <b>DATE OF ADOPTION:</b> | 29 June 2017                           | <b>DATE OF REVIEW:</b> | 29 June 2021 |
| <b>MOTION NUMBER:</b>    | OC113/17                               |                        |              |
| <b>POLICY NUMBER:</b>    | CP000019                               |                        |              |
| <b>AUTHORISED:</b>       | 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 under S.11 of 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 with effect from July 1 2014. To achieve this the Council needs to have in place a policy which sets out how local authorities are to be established.

### POLICY

#### *Establishing the Area of Each Local Authority*

That the area for each local authority be 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 Ordinary Members*

That as a general principle each Local Authority will have a maximum of nine (9) ordinary members with the Selection Panel empowered to recommend increasing this number to fourteen (14) if considered necessary to provide effective representation.

For the appointment of ordinary members of the initial Authorities, subsequent Authorities and casual vacancies the following procedures will apply:

- The CEO will call for nominations which must be advertised and promoted by appropriate means to ensure that residents of the relevant area are aware of it.

- A period of twenty-eight (28) days' notice must be given for nominations to be received.
- Persons ordinarily resident in the Local Authority area who are over the age of eighteen are eligible to be nominated.
- Nominations are to be made on a form approved by the CEO.
- 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.
- 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 an Officer of the Council nominated by the CEO who is working in the area of the Local Authority (the Receiving Officer).
- On receipt of a valid nomination the Receiving Officer shall immediately transmit an electronic copy to the CEO.
- 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.
- 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.

### ***The Selection Process***

A Selection Panel will be appointed for each Local Authority comprising: The CEO as Chairperson; Two Councillors from the Ward in which the authority is located; The President or President's nominee; and, a nominee of the CEO.

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***

Ordinary membership position becomes vacant when a member resigns in writing or the appointment is revoked by the Council. Council will give consideration to revoking the appointment of an ordinary member where a member is absent from three consecutive meetings of that Authority.

### ***Appointments of the selection panels***

- That (maximum of two positions) be appointed to the Selection Panel for the Ali Curung Local Authority
- That (maximum of two positions) be appointed to the Selection Panel for the Arlparra Local Authority
- That the Ward Councillor and a nominee of the Ward Councillor (maximum of two positions) be appointed to the Selection Panel for the Alpururulam Local Authority
- That (maximum of two positions) be appointed to the Selection Panel for the Ampilatwatja Local Authority

- That (maximum of two positions) be appointed to the Selection Panel for the Elliott Local Authority
- That (maximum of two positions) be appointed to the Selection Panel for the Tennant Creek Local Authority
- That (maximum of two positions) be appointed to the Selection Panel for the Wutunugurra Local Authority

## RISK MANAGEMENT

In the implementation of the Barkly Regional Council policy development, all 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.

| Consequences of <b>(no mitigation strategy)</b> |               |  |                   |
|---|---------------|--|-------------------|
| Risk Category                                   | Probability   | Consequence  | Severity          |
| Cultural  | Possible      | Temporary disengagement with community   | Moderate Risk     |
| Environmental                                   | No Likelihood | No Environmental risk assessed   | Nil Risk          |
| People & Health                                 | No Likelihood | No WHS risk assessed   | Nil Risk          |
| Reputation                                      | Likely        | Substantiated, public embarrassment very high multiple impacts high widespread multiple news profile third party actions | Extreme High Risk |
| Operation                                       | Possible      | Inconvenient delays  | Moderate Risk     |
| Financial                                       | Likely        | \$20,000 to \$100,000  | High Risk         |

| Consequences of <b>(mitigation strategy in place)</b> |                   |  |  |
|---|-------------------|--|--|
| Risk Category   | Severity          | Treatment  | Responsibilities   |
| Cultural  | Moderate Risk     | Design a new business process with adequate built-in risk control and containment measures from the start. | CEO & Directors  |
| Environmental   | Nil Risk          |  |  |
| People & Health                                       | Nil Risk          |  |  |
| Reputation  | Extreme High Risk | Extreme risk – detailed action plan required   | Must be reported to Senior management. Require detailed treatment plans to reduce the risks to low or medium |
| Operation   | Moderate Risk     | Design a new business process with adequate built-in risk control and containment measures from the start. | CEO & Directors  |
| Financial   | High Risk         | High risk – needs senior management attention  | Must be reported to Senior management. Require detailed treatment plans to reduce the risks to low or medium |

## REFERENCES

Local Authorities Operations Policy

## LEGISLATION & STANDARDS

*Local Government Act (NT) – Section 48 – 53F*  
Guidelines 8

## LINKS

[https://legislation.nt.gov.au/LegislationPortal/Acts/By-Title#header\\_act\\_acc\\_L](https://legislation.nt.gov.au/LegislationPortal/Acts/By-Title#header_act_acc_L)

## RESPONSIBILITY & DELEGATION

CEO

## EVALUATION AND REVIEW

Policy reviewed prior to each periodic election. Review date 30 June 2021