

Local Authority Meeting Procedure

MC02-P2 (amendments will be made subject to the enactment of the Local Government Act (General) Regulations, guidelines and any updated MRC document names)

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1. Purpose

To ensure MacDonnell Regional Council (MRC) run efficient and effective local authority meetings by providing a procedure that governs this meeting as outlined in MC02-CP Meeting Policy.

2. Scope

This procedure applies to local authority meetings and affects all attendees.

3. Definitions

Elected member (local authority)	Refers to a local authority member that is also an elected member.
Appointed member (local authority)	Refers to a resident of the local area, who has been nominated and then appointed by council resolution to the Local Authority.
Member	For the purposes of this procedure/policy, a member refers to both an elected member (local authority) and an appointed members (local authority).

4. Procedure

4.1. General

- 4.1.1. Subject to any direction of the Council a local authority may determine its own process.
- 4.1.2. Local authority meetings must be held where the public may access the place for the purpose of attending the meeting.
- 4.1.3. In some cases, specific sections of the *Local Government Act 2019 (the Act)* and *Local Government (General) Regulations 2021* may be referred to for further information as the content is detailed.
- 4.1.4. Some items may refer to MC02-P1 Council Meeting Procedure as the information that applies to council meetings also applies to local authority meetings.

4.2. Delegations

- 4.2.1. Local authorities have an advisory role to the Council. Recommendations made in relation to the decisions and activities of MRC require the endorsement of a council resolution except where there is delegated authority.
- 4.2.2. Local Authorities have delegated authority from council for a specific amount of funding referred to annually in the MRC budget as the Local Authority Discretionary Fund. Further detail of the Local Authority Discretionary Fund can be found in item 5.24.

4.3. Local Authority areas

- 4.3.1. Local authority areas include the community in which they are based and the surrounding areas the community residents identify as part of that community for accessing services or for cultural reasons.

4.4. Nature and timing of meetings

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Local Authority Meeting Procedure

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4.4.1. The CEO must ensure that at least 4 meetings for each local authority area are held in a financial year.

4.4.2. Provisional meetings held may be counted to satisfy the minimum number of meetings

4.4.3. Due to the large number of local authority meetings that MRC holds, MRC will not be able to reschedule all cancelled meetings

4.5. Notice and publication of notice of meetings

4.5.1. Details relating to the requirements of a notice and public of notice of a local authority meeting or special local authority meeting mirror the requirements of a council meeting. Minor adaptation is required. Where the term "Council/council" is used, this should be replaced with "Local Authority/local authority". These details can be found in MC02- P1 Council Meeting Procedure under item 5.3.

4.6. Convenor of meetings

4.6.1. Local authority meetings are convened by the CEO, or if the CEO receives a request from the chairperson the CEO may convene a meeting.

4.6.2. A local authority may convene a meeting of electors for its local authority area.

4.7. Determining the chairperson

4.7.1. The chairperson of a meeting is a member appointed by the local authority membership.

4.7.2. The local authority will decide the term length of the chairperson.

4.7.3. If the chairperson is not present (or no one is appointed to the position of chairperson at the time of the meeting) a member is decided by mutual agreement amongst the members present at the meeting may assume the role of chairperson of the meeting.

4.8. Business to be considered

4.8.1. The local authority should consider the *Minister's Guideline 1* under section 11 to determine agenda of meeting in consultation with the chairperson.

Local Authority Meeting Procedure

MC02-P2 (amendments will be made subject to the enactment of the Local Government Act (General) Regulations, guidelines and any updated MRC document names)

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4.9. Quorum or provisional meetings

4.9.1. The number of local authority members for each community and their corresponding numbers for quorum and provisional meetings is described in the following table:

Community	Appointed Members	Elected Members (includes President)	Quorum (Local Authority members present to make up more than half of Elected and Appointed Members)	Provisional (A third of total members present)
Amoonguna	7	5	7	4
Areyonga (Utju)	7	3	6	4
Docker River (Kaltukatjara)	7	3	6	4
Finke (Aputula)	7	5	7	4
Haasts Bluff (Ikuntji)	7	4	6	4
Hermannsburg (Ntaria)	10	3	7	5
Imanpa	7	3	6	4
Kintore (Walungurru)	7	4	6	4
Mount Liebig (Watiyawanu)	7	4	6	4
Papunya (Warumpi)	8	4	7	4
Santa Teresa (Ltyentye Apurte)	7	5	7	4
Titjikala	7	5	7	4
Wallace Rockhole	6	3	5	3

4.9.2. A provisional meetings may take place if quorum is not met provided that the number of members present meet the provisional meeting threshold.

4.9.3. Matters to be discussed and the limitations of the provisional meeting are as follows:

- a. A provisional meeting does not have the powers or functions to expend funds project or discretionary funds. However, can make recommendations to the Council for approval.
- b. Members at a provisional meeting can confirm the minutes of a previous provisional meeting provided they attended the previous provisional meeting. Members at a provisional meeting cannot confirm the minutes of a previous local authority meeting.
- c. Members at a provisional meeting may, by majority vote, make recommendations to the Council, provided any such recommendations are qualified as being a decision of the members at a provisional meeting.
- d. The minutes of a provisional meeting must number, date and reference each decision in such a way to identify it as a provisional decision.

Local Authority Meeting Procedure

MC02-P2 (amendments will be made subject to the enactment of the Local Government Act (General) Regulations, guidelines and any updated MRC document names)

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- e. A copy of the minutes from provisional meetings must, within 10 business days after the date of the meeting, be available to the public on the Council's website and at the Council's public office.

4.10. Postponing a meeting

- 4.10.1. Details relating to the postponing of a local authority meeting or special local authority mirror the requirements of a council meeting. These details can be found in MC02- P1 Council Meeting Procedure under item 5.6.

4.11. Apologies

- 4.11.1. Details relating to apologies at a local authority or special local authority meetings mirror the requirements of a council meeting. Minor adaptation regarding contact person to suit a local authority setting for an apology will be required. These details can be found in MC02- P1 Council Meeting Procedure under item 5.7.

4.12. Leave of Absence

- 4.12.1. Details relating to leave of absence from a local authority mirror the requirements of a council meeting. Minor adaptation is required. Where the term "Council/council" is used, this should be replaced with "Local Authority/local authority". These details can be found in MC02- P1 Council Meeting Procedure under item 5.8.

4.13. Absence without permission

- 4.13.1. At the first meeting that an appointed or elected local authority member is absent from the meeting without permission, members of a local authority must resolve that the member is absent without permission.
- 4.13.2. The CEO must notify the member, in writing, of the resolution within 7 days of the resolution passed.
- 4.13.3. The notification to the member must include a copy of the minutes and a statement that if the member is absent without permission from the next Local Authority Meeting, the member may be disqualified.
- 4.13.4. If the member is absent from the next local authority meeting without permission, a local authority must resolve that the member is absent from the meeting without permission and may disqualify the member.

4.14. Nominations and Appointments

- 4.14.1. In the event of a local authority vacancy the CEO will call for nominations as soon as practicable after a vacancy arises.
 - a. The vacancy will be advertised for 21 day and published on MRC notice boards and the MRC website.
 - b. Those nominating will need to complete MC02- F1 Local Authority Nomination Form which will need the endorsement of one other current local authority member.

Local Authority Meeting Procedure

MC02-P2 (amendments will be made subject to the enactment of the Local Government Act (General) Regulations, guidelines and any updated MRC document names)

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- c. Nominations will be tabled at the next local authority meeting and considered. A recommendation on the nominations to council will be recorded and presented with the nomination forms at the next council meeting.
- d. In the case that there is a nomination or nominations submitted but no timely local authority meeting (that is before the next council meeting), nominations will still be presented to the next Council meeting. The Council may appoint based on the supplied nominations.

4.14.2. In the event of a membership to a local authority being revoked, a former member is able to re-apply for that position.

4.15. Resignations and Revocations

4.15.1. It is important that Local Authority members attend meetings wherever possible.

Appointment of a local authority member may be revoked or otherwise cease if the person:

- a. resigns in writing to the CEO, chairperson or a delegated MRC employee.
- b. Has their membership revoked due to decisions based on or in accordance with items 4.13.
- c. Is absent for 2 consecutive meetings without the permission of the Local Authority; and
- d. If they are physically unable to attend 2 meetings of the Local Authority, for example if they are in jail or in hospital for an extended time.
- e. A letter revoking the membership will be sent to the last known residential address of the member in question.
- f. Passes away.

4.16. Voting

4.16.1. Details relating to voting and the casting vote at a local authority meeting or special local authority mirror the requirements of a council meeting. Minor adaptation is required. Where the term "Council/council" is used, this should be replaced with "Local Authority/local authority". These details can be found in MC02- P1 Council Meeting Procedure under item 5.11.

4.17. Confidential information and business

4.17.1. Details relating to confidential information and business at a local authority meeting or special local authority mirror the requirements of a council meeting. Minor adaptation is required. Where the term "Council/council" is used, this should be replaced with "Local Authority/local authority". These details can be found in MC02- P1 Council Meeting Procedure under item 5.12.

4.18. Minutes

4.18.1. Details relating to minutes of a local authority meeting mirror the requirements of a council meeting. These details can be found in MC02- P1 Council Meeting Procedure under item 5.13.

4.19. Attending a meeting (in person, via audio and audio-visual) at meetings

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Local Authority Meeting Procedure

MC02-P2 (amendments will be made subject to the enactment of the Local Government Act (General) Regulations, guidelines and any updated MRC document names)

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4.19.1. Details relating attending a meeting via audio or audio-visual means at a local authority meeting or special local authority mirror the requirements of a council meeting. These details can be found in MC02- P1 Council Meeting Procedure under item 5.14.

4.20. Conflict of interest

4.20.1. Conflicts of interest must be declared prior to discussion of a matter.

4.20.2. For a comprehensive understanding of a conflict of interest refer to MRC policy on conflict of interests.

4.21. Allowances for attendance

4.21.1. Allowances will apply for meetings attended. Information regarding relevant allowances can be found in the below listed documents:

- a. MC03-CP Allowances- Elected Members Policy
- b. MC02-F2 Meeting Attendance Form

4.22. Process of meetings

The agenda must be prepared in consultation with the local authority chairperson and in accordance with Minister Guideline 1: Local Authorities

4.23. Local Authorities Project Funding

4.23.1. Local authorities may also receive funding from the Northern Territory Government Department with responsibility for Local Government. MRC has delegated decision-making for use of the budgeted amount of this funding to the Local Authority.

4.23.2. Compliance will be by MRC policies and procedures, the relevant funding guidelines and legislation. The following principles will ensure these requirements are met:

- a. Projects chosen must not jeopardise the financial, social or environmental sustainability of MRC.
- b. Projects that rely on in-kind support from MRC must be related to MRC's core local government services and must get prior approval from the Council, CEO or the relevant Director.
- c. Funding should support the relevant community's priority projects as expressed through the Local Authority plan.
- d. Funding should not go to projects that are ordinarily the responsibility of another level of government.
- e. Existing MRC policies must be adhered to in relation to any activity or purchase undertaken with funds.
- f. Funds cannot be expended in cash, on the purchase of vehicles or salaries.
- g. The use of funds must be approved at a Local Authority meeting with a full quorum.

4.23.3. For further funding guidelines as stipulated by the Northern Territory Government, please reference Local Authority Project Funding Guidelines released by the Department of Local Government, Housing and Community Development.

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4.24. Discretionary Funds

4.24.1. The following principles apply to the use of discretionary funding:

- a. The funding must be used in a fair and equitable way, and should benefit the whole or most of the community.
- b. Principles in item 4.23.1 d-f apply to the disbursement of discretionary funds.

4.25. Meeting of Electors

4.25.1. A council may call a meeting of the electors for its area or a ward within its area.

4.25.2. The process and details of calling a meeting of the electors can be found in the Act under section 103.

5. Procedure Details

Replaces Policy No: (if applicable)	CP105- Meetings and Attendance- Elected Members CP112- Local Authority Projects and Discretionary Funding MC02-CP Local Authority Policy
Responsible Directorate/Department:	Corporate Services - Governance and Engagement
ELT Approval Date:	13 April 2021
ELT Minutes Reference:	Item # 5.1
Review Cycle:	April 2025 - Review every four (4) years or after changes to relevant legislation or Council policy

6. Legislation and References

Related Legislation:	<i>Local Government Act 2019 NT</i> <i>Local Government (General) Regulations 2021</i> <i>Minister Guideline 1- Local Authorities</i>
Related Policies:	GS07-CP Interests and Influence Policy CP151 Audio Recordings of Meetings MC02-CP Meeting Policy MC03-CP Allowances- Elected Members Policy FA03-CP Accommodation and Travel Members Policy
Associated Documents:	MC02-P1 Council Meeting Procedure MC02-P3 Committee Meeting Procedure MC03-CP Allowances – Elected Members Policy

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MC02-P2 (amendments will be made subject to the enactment of the Local Government Act (General) Regulations, guidelines and any updated MRC document names)

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	MC02-P2 Travel expenses procedure MC02-F1 Local Authority Nomination Form MC02-R3 Local Authority Membership Register MC02-F2 Meeting Attendance Form
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7. Version Control

Version No	Approval Date	Procedure No.	Minutes reference (previous version)
1	13 April 2021	MC02-P2	N/A