

First Council Meeting Procedure

MC02-P4 (amendments will be made subject to the enactment of the Local Government Act (General) Regulations and any updated MRC document names)



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1. Purpose

To ensure MacDonnell Regional Council (MRC) run an efficient and effective first ordinary meeting of a newly elected council by providing procedures and supporting the objectives set out in MC02-CP Meetings Policy.

2. Scope

This procedure applies to each first ordinary meeting of a newly elected council and affects all attendees.

3. Definitions

Term of Council	Refers to the period from the declaration of vote following a general local government election to the declaration of vote following the subsequent general election
Principal member	Also referred to as the President, the principal member is appointed to the position following an election process among fellow Councillors
Deputy principal member	Also referred to as the Deputy President, the deputy principal member is appointed to the position following an election process among fellow elected members (Councillors)
Elected member	Also referred to as a Councillor, an elected member has been elected to council to represent a ward
Chair	The person responsible for running the meeting and ensuring that members are following the conventions of the meeting

4. Procedure

4.1. First meeting

- 4.1.1. Elected members are elected for that term of office following a member's election or appointment.
- 4.1.2. A newly elected council must hold its first meeting within 21 days of the conclusion of the general election.
- 4.1.3. The first council meeting of a newly elected council is convened and chaired by the council CEO until the principal member is appointed.

4.2. Appointment, term and role of principal member

- 4.2.1. The principal member is elected or appointed for the term of Council.
- 4.2.2. As decided by previous council resolutions (which can be changed at any time throughout the term of office by resolution) that:
 - a. the principal member of council has the title President; and
 - b. the appointment of the principal member is made by following a secret ballot election process among fellow elected members.
- 4.2.3. The MRC electoral process allows a maximum of 10 minutes for each nominated candidate to present their reasons to be appointed as President to their fellow elected members.

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- 4.2.4. The secret ballot vote for the President is facilitated by the CEO as the returning officer and a government department official as the scrutineer.
- 4.2.5. Following the secret ballot all voting slips are kept secret and promptly destroyed.
- 4.2.6. Following the appointment of the principal member, they commence the responsibilities as the chair for this and all council meetings.
- 4.2.7. The role of the principal member of a council has the following functions as set out in MC01-CP Members Policy item 7.2.2:
 - a. to chair meetings of the council;
 - b. to speak on behalf of the council as the council's principal representative;
 - c. to liaise with the CEO about the performance of the council's and CEO's functions;
 - d. to promote behaviour among the members of the council that meets the standards set out in the code of conduct;
 - e. to lead the council to undertake regular review of the performance of the CEO.
- 4.2.8. Should the principal member resign as the principal member the procedure for 4.2.2–4.2.6 would be enacted to fill the vacancy or where necessary GS06-CP Filling Casual Council Vacancies Policy will be followed.

4.3. Appointment, term and role of deputy principal member

- 4.3.1. The deputy principal member is appointed for the term of Council or a lesser term fixed by the council when it makes the appointment.
- 4.3.2. Council may resolve the term of the deputy principal, before the secret ballot, as either:
 - a. One deputy principal member to serve the four year term of office
 - b. Two deputy principal members to each serve two successive years of the four year term of office
 - c. Four deputy principal members to each serve one successive year of the four year term of office
- 4.3.3. As decided by previous council resolutions (which can be changed at any time in line with changes to the principal member's title throughout the term of office by resolution) that:
 - a. the deputy principal member of MRC has the title Deputy President, and
 - b. the appointment of the deputy principal member is made by following a secret ballot election process among fellow elected members.
- 4.3.4. The MRC electoral process allows a maximum of 10 minutes for each nominated candidate to present their reasons to be appointed as Deputy President to their fellow elected members.
- 4.3.5. The secret ballot vote for the Deputy President is facilitated by the President as the returning officer and a government department official as the scrutineer.
- 4.3.6. Following the secret ballot all voting slips are kept secret and promptly destroyed.
- 4.3.7. In addition to the role of an elected member, the role of the deputy principal member of a council is to carry out any of the principal member's functions when the principal member:
 - a. delegates the functions to the deputy; or
 - b. is absent from official duties because of illness or for some other reason

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4.3.8. If the principal member is absent from official duties and there is no deputy principal member or the deputy is not available to act in the principal member's position, the council may, by resolution, appoint another member of the council to act in the principal member's position for a specified period or until the principal member resumes official duties.

4.3.9. Should a deputy principal member resign as the deputy principal member the procedure for 4.3.2–4.3.6 would be enacted to fill the vacancy or where necessary follow GS06-CP Filling Casual Council Vacancies Policy.

4.4. Voting

4.4.1. Each member present at a meeting has and must exercise one vote on a question arising for decision at the meeting.

4.5. Casting vote

4.5.1. Council must decide by resolution if the chair will exercise, in the event of an equality of votes, a second or casting vote that:

- a. may only be established by resolution of the council passed at the first meeting of the council to be held after a general election; and
- b. cannot be altered or revoked during the term of the council; and
- c. lapses at the conclusion of the next general election.

4.6. Audio and audio visual attendance and recording of meetings

4.6.1. It is preferable that members attend meetings in person and members are encouraged to do so where possible, however as per MC02-P1 Council Meeting Procedure (item 4.14), a member who is not physically present at a meeting of council is taken to be present if:

- a. they attend via an audio or audio visual conferencing system; and
- b. communication is established via the conferencing system, at or around the commencement of the meeting; and
- c. the member has the same or substantially the same opportunity to participate as any other member present at the meeting.

4.6.2. Meetings will be audio recorded to support secretariat accuracy as per CP151 Audio Recording of Meetings and:

- a. will be deleted following the subsequent approval of minutes from that meeting, or
- b. may be paused to avoid recording a matter deemed culturally sensitive.

4.7. Schedule of ordinary meetings

4.7.1. A council must hold an ordinary meeting of its members at least once in each successive period of 2 months.

4.7.2. The first ordinary meeting of a newly elected council to be held after a general election must set the schedule for the holding of ordinary meetings for the council's term of office.

4.7.3. The schedule for the holding of ordinary meetings may be altered at a subsequent meeting.

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4.8. Schedule of council audit committee, other council committees and local authorities

- 4.8.1. The council can determine the meeting times of an audit or council committee, or opt to allow the respective committees to determine their own meetings schedule as set out in MC02-P3 Committee Meeting Procedure.
- 4.8.2. Local authorities meetings are convened at times determined by the CEO as set out in MC02-P2 Local Authority Meeting Procedure.

4.9. Appointment to council audit committees

- 4.9.1. A council must, by resolution, establish and maintain an audit committee as per MC02-P3 Committee Meeting Procedure.
- 4.9.2. An audit committee consists of the persons appointed, by resolution, by the council to be members of the committee.
- 4.9.3. The members of an audit committee may consist of, or include, persons who are not members of the Council.
- 4.9.4. However, the chairperson of an audit committee must not be a member of the council or a member of the Council's employees.
- 4.9.5. The terms and conditions on which a person holds office as a member of an audit committee are to be as determined by the Council.
- 4.9.6. The Council may, by resolution, abolish an audit committee.
- 4.9.7. The Council must establish or abolish an audit committee in accordance with any guidelines that the Minister may make.
- 4.9.8. An audit committee has the following functions in relation to a council:
 - a. to monitor and review the integrity of the council's financial management;
 - b. to monitor and review internal controls;
 - c. to make recommendations to the Council about any matters the committee considers require the council's consideration as a result of the committee's functions under a. or b.
- 4.9.9. An audit committee is subject to control and direction by the Council.
- 4.9.10. Subject to any direction by the Council, an audit committee may determine its own procedures.

4.10. Appointment to other council committees

- 4.10.1. A council may, by resolution, establish one or more council committees as per MC02-P3 Committee Meeting Procedure (for example: Finance and Risk Committee, Sponsorship Committee).
- 4.10.2. A council committee consists of the persons appointed, by resolution, by the council to be members of the committee.
- 4.10.3. The members of a council committee may consist of, or include, persons who are not members of the council.
- 4.10.4. The terms and conditions on which a person holds office as a member of a council committee are to be as determined by the council.
- 4.10.5. The council may, by resolution, abolish a council committee.

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- 4.10.6. The council must establish or abolish a council committee in accordance with any guidelines that the Minister may make.
- 4.10.7. A council committee has the functions assigned to the committee by the council.
- 4.10.8. The assigned functions may be of an executive or advisory nature.
- 4.10.9. A council committee carries out, on behalf of the council, functions delegated to it by the council.
- 4.10.10. A council committee must have terms of reference, approved by council resolution that set out its functions.
- 4.10.11. A council committee is subject to control and direction by the council.
- 4.10.12. Subject to any direction by the council, a council committee may determine its own procedures.

4.11. Appointment of a council panel

- 4.11.1. The President or the CEO will establish a council panel to draw on members should a complaint of a contravention of the code of conduct – CEO and code of conduct – members as per the Act.

4.12. Annual return of interests

- 4.12.1. Council member must submit an annual return of interests in the prescribed form to the CEO before 30 September each year, addressing the details prescribed in the Act.

4.13. Council nominations to associated bodies

- 4.13.1. LGANT Constitution requires each member council appoints two delegates as their representatives at meetings of the Association
 - a. Delegates (two positions) are usually the President and Vice President, but exceptions are made were another member of Council, other than the President or the Vice President has been a member of the LGANT executive board. In such circumstance, the Councils' two delegates have been the President and the LGANT executive board member.
- 4.13.2. LGANT Executive are voluntary roles authorised to perform all functions and duties for the proper control and governance of the Association in between General Meetings in accordance with its governance charter. Council may by resolution endorse a nomination of an elected member for the consideration of LGANT to fill any vacancy on the nine person Executive. Vacant positions may include:
 - a. President (one position)
 - b. Vice Presidents (two positions)
 - c. Executive members (six positions)
- 4.13.3. LGANT Representatives on Committees are voluntary roles on a number of committees that advise Government and Ministers in line with the Associations object to "represent, promote, and protect the interests of local government generally" and provide the Association with regular reports and an annual report for its Annual General Meeting each year. Council may by resolution endorse a nomination of an elected member for the consideration of LGANT to fill any vacancy on the nine person Executive. Committee positions may include:

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- a. Animal Welfare Advisory Committee
- b. Heritage Council
- c. Ministerial Advisory Council on Multicultural Affairs

4.13.4. Council by resolution may revoke such appointments and appoint other delegates in their place, in accordance with its own policies or procedures

4.14. Miscellaneous extras

The following topics will be covered if time allows:

- 4.14.1. Code of Conduct
- 4.14.2. Role of the CEO
- 4.14.3. Conflicts, Interest and Influence
- 4.14.4. Allowances, Reimbursements and Payments

5. Procedure Details

Replaces Policy No: (if applicable)	NA
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>
Related Policies:	MC01-CP Members Policy MC02-CP Meetings Policy GS06-CP Filling Casual Council Vacancies Policy CP151 Audio Recordings of Meetings CP104 Disclosure of Interests Policy – members
Associated Documents:	MC02-P1 Council Meeting Procedure MC01-P2 Travel Expenses Procedure – Members MC02-P3 Committee Meeting Procedure MC03-CP Allowances – Elected Members Policy

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7. Version Control

Version No	Approval Date	Procedure No.	Minutes reference (previous version)
1	13 April 2021	C02-P4	N/A