



Tiwi Islands Regional Council

Title: Local Authority Policy
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Adopted By: Council
Next Review Date: April 2021
Responsibility: Chief Executive Officer
MagiQ Document Number 206917

Version	Decision Number	Adoption Date	History
1	Resolution 9 of 27-07-17	27 July 2017	Original document

1. Purpose

Local Authorities are formed to encourage participation 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 with the provisions of the Local Government Act, and so that the community has a strong voice and is actively engaged in their local decision making.

2. Organisation Scope

This policy applies to all Tiwi Islands Regional Council's (TIRC) Local Authority Members.

3. Policy Statement

All Local Authority established within the boundaries of the Tiwi Islands Regional Council region shall:

- Advise TIRC on services delivery plans including infrastructure requirements for communities, outstations or local region or wards.
- Contribute to the development of Councils Regional Plans.
- Be actively supported by the Council to ensure opportunities exist for residents to meaningfully engage in local government processes.
- Alert and advise TIRC on new and emerging issues within the scope of TIRC activity.
- Advise on specific Council, community and social projects that impact on community or region.
- Advise and support the Tiwi Islands Regional Council staff on local implementation of the Regional Plan, particularly on cross-culture best practice in governance and service delivery.



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- Respond to identified community needs. This may involve organising and participating in activities such as community events, youth, community safety, housing and community planning and infrastructure development.

4. Principles

4.1 Roles and functions of a Local Authority

The Local Authority shall be a voluntary, group that provides advice and recommendations to TIRC about issues in their local community. Recommendations made at Local Authority meetings are not 'final' decisions. Council needs to decide on all issues and/or request from all communities.

The functions of a Local Authority are to:

- involve local communities more closely in issues related to local government
- ensure that local communities are given an opportunity to express their opinions on questions affecting local government
- allow local communities a voice in the formulation of policies for their locality and on policies for the area and the region
- take the views of local communities back to council and act as advocates on their behalf
- share Council information and decisions with the community so people are more aware
- contribute to the development of the relevant Regional Management plan and the Municipal or Council plan
- provide a representative for employment selection advisory panels in relation to TIRC managerial positions in the Local Authority area.

4.2 Membership

4.2.1 Membership size

The size of the Local Authority should reflect the community size and structure as well as represent key groups in the community. The membership of the Local Authority will include community members, Ward Councillors and Mayor of the TIRC. The number of community members that a local Authority should have is minimum of four (4) and up to a maximum of fourteen (14). If Council wishes to have more than 14 members, The CEO must request in writing to the Minister to have more than 14 members.

When a vacancy arises people who nominate for Local Authority memberships are to be approved by the Council at the next Ordinary Council Meeting.



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When a Local Government election is called, all Local Authority Ex-Officio Members will cease their Local Authority membership. Once the new Council is formed the new word Elected Members will automatically become Ex-Officio Members of their respective Local Authority.

Number for each Local Authority will be as follows:

Community Ward	Appointed members	Ex Officio	Quorum (Total)	Provisional (Appointed only)
Bathurst Island	11	6 *	9	6
Pirlangimpi	9	3*	7	5
Milikapiti	9	3*	7	5

* Includes Mayor. The Mayor is entitled to sit on the Local Authority beyond their ward. However is not included in calculations for quorum of those local authorities.

4.2.2 Ordinary Members' Appointment Process:

Council has determined that each Local Authority will have representatives from the four (4) skin groups. This membership is represented by a male and a female totaling eight (8) Ordinary Members. Provision should be made for an additional "non-skin group" member bringing the total to nine (9) Ordinary Members each for Bathurst Island, Pirlangimpi & Milikapiti Local Authorities. However in the case of Bathurst Island Ward will also include two (2) representatives from Wurankuwu bringing the total to 11 appointed members.

Local Authority	Warntarringuwi (Sun)	Miyartuwi (Pandanas)	Lorrula (Rock)	Takaringuwi (Mullet)	Non-Skin Group	Wurankuwu	TOTAL
Bathurst Island	2	2	2	2	1	2	11
Pirlangimpi	2	2	2	2	1		9
Milikapiti	2	2	2	2	1		9

4.2.3 Period of membership

At its Council meeting held on 29 June 2017, Council approved for Local Authority members to have unlimited terms.

This means that, once appointed, members do not need to reapply for their position on the Local Authority.

See section 4.2.5 for how a member's appointment can be terminated.



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4.2.4 Eligibility for membership

Community residents over 16 years or who are on the electoral roll and live in the Ward for the majority of the time, can nominate or be nominated to become a Local Authority member.

Local Authorities are permitted to have up to two members under the age of 18.

4.2.5 How to nominate for membership

As Local Authority vacancies arise nominations will be called for in the relevant community, the nomination period being 28 days. To become a local Authority member, the candidate must complete a Local Authority nomination form. The form can be handed directly to a TIRC Office, in any of our communities, it will then be submitted for Council decision at the next Ordinary Council meeting.

Council will have the final say on all Local Authority membership

4.2.6 Membership termination:

Local Authority members stop being members if they:

- resign in writing
- pass away
- do not attend 2 consecutive meetings without an apology
- commit a serious offence or are sent to prison for 1 year (Council can use its discretion)
- are dismissed by Council.

4.2.7 No proxies (substitute members)

A member of a Local Authority may not be represented by a proxy (substitute) during a meeting. [Section 12.0, Guideline8]

4.3 Local Authority meetings:

The following points cover the running of Local Authority meetings. A Local Authority:

- shall hold a minimum of four each year
- shall elect a permanent chair at the first meeting of the Local Authority
- the quorum for meetings will be of half plus one of the community-nominated members
- shall be supported by TIRC staff who will provide the secretariat and act as advisors to the chair and the Local Authority, but will not run the meeting
- will publicly advertise meetings with draft agendas at least three days before the meeting
- will follow and adopt the draft agenda suggested by Council.

4.3.1 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 [Section 13.1, Guideline 8].
- During a provisional meeting agenda items may be discussed and minutes must be kept [Section 13.2, Guideline 8]
- Members at the provisional meeting may, by majority vote, make recommendations to the 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 [Section 13.3 Guideline 8].
- 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 [Section 13.4 Guideline 8].
- A provisional meeting does not have the powers or functions which a council may have delegated to a Local Authority [Section 13.5, Guideline 8]

4.3.2 Roles and responsibilities

The following outlines the roles and responsibilities of key stakeholders when reporting to and from the Local Authority:

- Local Authority members will advise on strategic, not operational matters (operational matters are the responsibility of Council Officers).
- The Council discusses both the Local Authority reports and the management responses and then decides on actions.
- The Mayor and Ward Councillors will report to Local Authorities on Council decisions and take the views of Local Authority to Council.
- Local Authority members report to their community about their advice to Council and take community views to Council.

Each new Local Authority will receive training at its first meeting on roles and responsibilities, meeting procedures, council responsibilities and separation of powers.

Anyone wishing to make a deputation to a Local Authority must seek permission from the Local Authority's chair person in writing at least 10 business days prior to the meeting.



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4.4 Administrative support and secretariat

Local Authority meetings are convened by the TIRC CEO. The TIRC Governance unit will be responsible for coordinating the Local Authority meetings.

Dates for Local Authority meetings shall be set out 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 three days notice about the rescheduled date, time and venue for the meeting.

Governance and Compliance area will provide admin support as required for creating and distributing agenda, recording of minutes and organising meeting venue.

Governance unit will be a central depository and will be responsible for keeping records of Local Authority Member's details, agenda, minutes and attendance.

4.5 Community meetings

Community meetings can be called at any time. Community meetings are different from Local Authority meetings and these types of meeting will determine their own procedures. Decisions made at these meetings may be used to advise the Local Authority.

4.6 Local Authority member allowances

The Local Authority member allowance is a sum of money provided to Local Authority members when they attend a Local Authority meeting.

Local Authority members will be paid at the end of each Local Authority meeting. TIRC staff attending a Local Authority meeting, as a Local Authority member within that staff member's normal hour of work, will not be paid a Local Authority Member allowance unless that staff member is casual staff. If a meeting is held outside the staff members normal hours of work, that staff member, who is also a Local Authority member will be entitled to the Local Authority member allowance.

5. Definition

Appointed members

Means a Local Authority member who has been appointed pursuant to section 53C(1)(b) of the Act. [Section 4, Guideline 8]

Members

Includes appointed members and non-appointed members. [Section 4, Guideline 8]



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Non-appointed member

Means a person who is Local Authority member by virtue of section 53C(1)(a) or (2) of the Local Government Act. [Section 4, Guideline 8]

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. [Section 4, Guideline 8]

Note: a provisional meeting is able to make recommendations to council pursuant to clause 13 (Provisional meeting where quorum not present). There must be more than half of the appointed members present. [Section 4, Guideline 8]

References

- *Local Government Act*
- *Local Government Guideline 8: Regional Councils and Local Authorities*
- *Relevant Policies: Code of Conduct, Workplace Drugs & Alcohol, Privacy, Travel & Accommodation and Elected Members and LA Chairs ICT Support.*
- *Relevant Forms: Local Authority Member Nomination Form, New Member Details Form and Tax File Declaration Form.*

Declaration:

I have read and agree to the Local Authority Policy.

.....
Name

Signature

Date:...../...../.....