

INFORMATION SHEET

How council operates

The power to control and manage a council comes from the *Local Government Act* (the Act). This is the law the Northern Territory Government makes. The Act has Regulations and Guidelines to help councils work out what they need to do to make sure they're following the law. Regulations and Guidelines are other rules that are part of the law that tells councils how they should run their council.

Council decision-making

A council can only make decisions at a council meeting. No decisions can be made at a workshop or other forum. When a council makes a decision, this is known as a 'council resolution' and it is recorded in the minutes of the council meeting at which it is made. Once a resolution has been made, then the decision is final. If a resolution needs to be changed, then this can only happen at a council meeting by passing another resolution.

The council CEO is responsible for convening ordinary council meetings and special council meetings, if requested or resolved by elected members

Delegations

Decisions can only be made at a council meeting. Under the Act councils can delegate some powers or functions to council committees, local authorities or the council CEO. All delegations must be in writing and can include conditions on the delegations. There are some powers, such as the setting rates and charges that cannot be delegated by the council.

Role of Mayor / President

The role of the principal member of a council (known as a Lord Mayor, Mayor or President, depending on the council) includes:

- chairing meetings of the council;
- speaking on behalf of the council; and
- carrying out civic and ceremonial functions.

The council Mayor / President does not have any special power under the Act to make decisions on behalf of the council.

The council and the council CEO

The elected members are the employer of the council CEO. The CEO reports to the council and it is the responsibility of the elected members to manage the CEO's performance. Decisions about hiring, extending or terminating the employment of a council CEO are made by the elected members. The council CEO is required to provide the advice or obtain the information the elected members reasonably require so that they can effectively carry out their responsibilities. However, elected members have no power or authority to direct staff or to interfere with the management of staff as this is the role of the council CEO.