

NORTHERN TERRITORY OF AUSTRALIA

FLORA RIVER LOCAL MANAGEMENT COMMITTEE REGULATIONS

As in force at 7 November 2011

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NORTHERN TERRITORY OF AUSTRALIA

This reprint shows the Regulations as in force at 7 November 2011. Any amendments that commence after that date are not included.

FLORA RIVER LOCAL MANAGEMENT COMMITTEE REGULATIONS

Regulations under the *Territory Parks and Wildlife Act*

1 Citation

These Regulations may be cited as the *Flora River Local Management Committee Regulations*.

2 Interpretation

In these Regulations, unless the contrary intention appears:

Chairman means the Chairman of the Committee.

Committee means a member of the Committee.

member means a member of the Committee.

Park means Northern Territory Portion 4175, an area of land declared to be a park under section 12 of the Act.

3 Establishment of Committee

There is established by these Regulations a committee to be known as the Flora River Local Management Committee.

4 Composition of Committee

- (1) Subject to subregulation (2), the Committee shall consist of 7 members appointed by the Minister, of whom:
 - (a) one shall be a person nominated by the registered proprietor of Perpetual Pastoral Lease No. 1037;
 - (b) one shall be a person nominated by the registered proprietor of Perpetual Pastoral Lease No. 1038;
 - (c) one shall be a person nominated by the Wardaman Aboriginal Association;

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- (ca) one shall be a person nominated by the Yubulyawun Aboriginal Land Trust;
 - (d) one shall be a person nominated by the Katherine Region Tourist Association; and
 - (e) 2 shall be employees, within the meaning of the *Public Sector Employment and Management Act*, nominated by the Commission.
- (2) A person who is a member of the Legislative Assembly or of either House of the Parliament of the Commonwealth is not eligible to be appointed to hold office as a member.
 - (3) As soon as practicable after an appointment under subregulation (1) has been made, the Minister shall cause notice of the appointment to be published in the *Gazette*.
 - (4) Subject to regulations 5 and 6, a member holds office for 3 years but:
 - (a) is eligible for reappointment; and
 - (b) shall continue in office until reappointed or a successor is appointed.
 - (5) The performance of a function or the exercise of a power of the Committee is not affected by reason only of there being a vacancy in the office of a member.
 - (6) Where a member is or is about to become unable, whether on account of illness or otherwise, to perform the duties of the member's office, the Minister may appoint a person to act in place of the member during the period the member is unable to perform the duties, unless the member has, under regulation 8(4), given to another member a general authority to vote for him or her at meetings of the Committee during the first-mentioned member's inability to perform his or her duties.
 - (7) A person appointed to act in the place of a member has all the functions and powers of the member.

5 Resignation of members

A member may resign by writing signed by or with the authority of the member delivered to the Minister.

6 Termination of appointment and appointment of new members

- (1) The Minister shall, as soon as practicable after:
 - (a) receiving the resignation of a member;
 - (b) becoming aware of a member's inability to continue as a member because of illness or for any other reason;
 - (c) being satisfied that the member has failed to perform the duties of the member's office; or
 - (d) being satisfied that a member has contravened regulation 10,terminate the appointment of the person as a member.
- (2) The Minister shall, as soon as practicable after:
 - (a) becoming aware of the death of a member; or
 - (b) terminating the appointment of a person as a member under subregulation (1),

appoint another person, with the same qualification for membership as the person in whose place the person is appointed, to be a member.

7 Chairman

- (1) The Minister shall, as soon as practicable after the establishment of the Committee, or at any time when the office of Chairman is vacant, convene a meeting of the Committee for the purpose of electing a member as the Chairman.
- (2) The Minister shall appoint a member appointed under regulation 4(1)(e) to preside at the meeting referred to in subregulation (1).
- (3) Where the Minister convenes a meeting under subregulation (1), the Committee shall elect a member to be Chairman.
- (4) Where a member is elected as Chairman at a meeting referred to in subregulation (1), the member shall preside at the meeting in place of the member appointed under subregulation (2).
- (5) Subject to subregulation (6), the Chairman holds office, provided he or she remains a member, for 3 years and is eligible for re-election.
- (6) The Committee may at any time, by resolution, remove the Chairman from office and elect another member as Chairman.

8 Calling of meetings, procedure, &c.

- (1) The Chairman shall call such meetings of the Committee as are necessary for the exercise of its powers and the performance of its functions, but the number of meetings shall be not less than one in each calendar year.
- (2) At any time:
 - (a) the Minister may direct; or
 - (b) not less than 3 members may request,the Chairman to call a meeting of the Committee and the Chairman shall call a meeting accordingly.
- (3) At a meeting of the Committee:
 - (a) the Chairman, if present, shall preside or, if the Chairman is not present, the members present shall elect one of their number to preside;
 - (b) subject to subregulation (4), 4 members constitute a quorum;
 - (c) questions arising shall be determined by a majority of the votes of the members present and, in the event of an equality of votes, the person presiding shall have a casting vote as well as a deliberate vote; and
 - (d) subject to these Regulations, the Committee shall determine the procedures to be followed at or in connection with the meeting.
- (4) A member may, in writing under the member's hand or with the member's authority, give to another member a general authority to vote for the first-mentioned member at a meeting of the Committee and the member given the authority may vote for the first-mentioned member at the meeting and shall, for the purposes of subregulation (3)(b), be counted towards a quorum as though he or she were also the first-mentioned member, but the authorised member shall not vote on behalf of more than one member and may be counted in place of one member only with the same qualification.
- (5) The Committee shall cause records of the Committee's meetings to be kept and, as soon as practicable after each meeting, shall cause a copy of the minutes of the meeting to be given to each member and to the Minister.

9 Functions and powers of Committee

- (1) The Committee is, in the performance of its functions and the exercise of its powers, subject to the Act and to the plan of management for the Park.
- (2) The functions of the Committee are:
 - (a) to assist the Commission in the preparation and assessment of the plan of management for the Park and of any subsequent amendments of the plan;
 - (b) to determine, for the purpose of providing guidance to the Commission, matters relating to the day to day management of the Park;
 - (c) to determine, in consultation with the Commission, the location of works and facilities in the Park;
 - (d) to assist the Commission in protecting the environment of the park;
 - (e) to make recommendations to the Commission relating to the use of the Park by the public and in particular relating to the granting of concessions and licences for tour operations and commercial enterprises;
 - (f) to make recommendations to the Commission relating to the content of educational or interpretive programs to be used in the Park;
 - (g) to make recommendations to the Commission relating to filming in the Park;
 - (h) to make recommendations to the Commission relating to entry and other charges, if any, in the Park and the application of those charges;
 - (j) to seek reservations of land under Part 6, Division 1 of the *Mineral Titles Act* in respect of the Park;
 - (k) to make recommendations to the Commission relating to access by persons to areas within the Park;
 - (m) to make recommendations to the Commission relating to camping in the Park and the establishment of camping grounds, if any; and
 - (n) to make recommendations to the Commission relating to the expenditure of budgetary allocations in the Park.

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- (3) The Committee has power to do all things that are necessary or convenient to be done for or in connection with, or incidental to the performance of, its functions.

10 Members shall not disclose information

A member shall not disclose information obtained in the course of the member's duties as a member unless the disclosure is made in the course of those duties.

11 Publication of Regulations

- (1) Section 57 of the *Interpretation Act* does not apply to these Regulations.
- (2) Copies of these Regulations shall be available for inspection by members of the public during office hours at the offices of the Commission.

ENDNOTES

1 KEY

Key to abbreviations

amd = amended	od = order
app = appendix	om = omitted
bl = by-law	pt = Part
ch = Chapter	r = regulation/rule
cl = clause	rem = remainder
div = Division	renum = renumbered
exp = expires/expired	rep = repealed
f = forms	s = section
<i>Gaz</i> = <i>Gazette</i>	sch = Schedule
hdg = heading	sdiv = Subdivision
ins = inserted	SL = Subordinate Legislation
lt = long title	sub = substituted
nc = not commenced	

2 LIST OF LEGISLATION

Flora River Local Management Committee Regulations

Notified	7 July 1993
Commenced	7 July 1993

Flora River Local Management Committee Amendment Regulations

Notified	12 October 1994
Commenced	12 October 1994

Mineral Titles (Consequential Amendments) Act 2010 (Act No. 37, 2010)

Assent date	18 November 2010
Commenced	7 November 2011 (<i>Gaz</i> G41, 12 October 2011, p 5)

3 LIST OF AMENDMENTS

r 4	amd 12 Oct 1994
r 9	amd Act No. 37, 2010, s 14