

BUSINESS PAPER

Post-Election Meeting Wednesday 6 April 2016

Roma Administration Centre

NOTICE OF MEETING

Date: 1 April 2016

Mayor: Councillor Elect T D Golder

Councillors: Councillor Elect R Bryant
Councillor Elect J L Chambers
Councillor Elect N H Chandler
Councillor Elect P J Flynn
Councillor Elect C J O'Neil
Councillor Elect G B McMullen
Councillor Elect D J Schefe
Councillor Elect J M Stanford

Chief Executive Officer: Julie Reitano

Senior Management: Mr Cameron Castles (Director Infrastructure Services)
Mr Rob Hayward (Director Development, Facilities & Environmental Services)
Ms Sharon Frank (Director Corporate, Community & Commercial Services)

Officers: Ms Jane Frith (Coordinator Corporate Communications)

Attached is the agenda for the **Post-Election Meeting** to be held at the Roma Administration Centre on **6 April 2016 - commencing immediately following the Declaration of Office at 10am.**



Julie Reitano
Chief Executive Officer

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Item No	Subject
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Prior to Commencement of the Meeting:

Declaration of Office

10.00AM

The Chief Executive Officer will administer the Declaration of Office, in accordance with the Local Government Act 2009, Section 169, which states:

169 Obligations of councillors before acting in office

- (1) A councillor must not act in office until the councillor makes the declaration of office.
- (2) The **declaration of office** is a declaration prescribed under a regulation.
- (3) The chief executive officer is authorised to take the declaration of office.
- (4) The chief executive officer must keep a record of the taking of the declaration of office.
- (5) A person ceases to be a councillor if the person does not comply with subsection (1) within—
 - (a) 1 month after being appointed or elected; or
 - (b) a longer period allowed by the Minister.

And, in accordance with the Local Government Regulation 2012, Section 254, which states:

254 Declaration of office—Act, s 169

For section 169(2) of the Act, the declaration of office prescribed is—
 ‘I, (*insert name of councillor*), having been elected/appointed as a councillor of the (*insert name of local government*), declare that I will faithfully and impartially fulfil the duties of the office, in accordance with the local government principles under the *Local Government Act 2009*, to the best of my judgment and ability.’

Post-Election Meeting Agenda

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OFFICER REPORT

Meeting: Post-Election Meeting 6 April 2016

Date: 31 March 2016

Item Number: 1.1

File Number: D16/26447

SUBJECT HEADING: Appointment of Deputy Mayor

Classification: Open Access

Officer's Title: Chief Executive Officer

Executive Summary:

As prescribed under Section 175 of the Local Government Act 2009, a local government must, at its first meeting after the conclusion of the quadrennial election, appoint a Deputy Mayor.

Officer's Recommendation:

That:

1. The Mayor, Cr. Tyson Golder, call for nominations from Councillors for the position of Deputy Mayor for Maranoa Regional Council.
2. A vote be taken by Council to appoint a deputy mayor.

Body of Report:

The appointment of a Deputy Mayor is one of two decisions that must be made by the new Council at the post-election meeting:

Local Government Act 2009

175 Post-election meetings

- (1) A local government must hold a meeting within 14 days after—
 - (a) the conclusion of each quadrennial election;
- (2) The local government must, by resolution, appoint a deputy mayor from its councillors (other than the mayor)—
 - (a) at that meeting;

The legislation details a number of roles for the Deputy Mayor. The primary role is detailed in section 165:

165 Acting mayor

- (1) The deputy mayor acts for the mayor during—
 - (a) the absence or temporary incapacity of the mayor; or
 - (b) a vacancy in the office of mayor.

The Deputy Mayor also forms part of the panel for appointment of senior executive employees.

196 Appointing other local government employees

...

- (4) A panel constituted by the following persons appoints a senior executive employee—
- (a) the mayor;
 - (b) the chief executive officer;
 - (c) either—
 - (i) if the senior executive employee is to report to only 1 committee of the local government—the chairperson of the committee; or
 - (ii) otherwise—the **deputy mayor**.
- (5) The **deputy mayor** may delegate the deputy mayor's functions under subsection (4) to another councillor of the local government.
- (6) A senior executive employee, of a local government, is an employee of the local government—
- (a) who reports directly to the chief executive officer; and
 - (b) whose position ordinarily would be considered to be a senior position in the local government's corporate structure.

The legislation does not prescribe how the nominations for Deputy Mayor are managed, but the actual decision appointing the Deputy Mayor must be achieved by a formal resolution of Council in a session that is open to the public.

Consultation (internal/external):

- Local Government Association of Queensland (LGAQ)
- King and Company

Risk Assessment (Legal, Financial, Political etc.):

Nil.

Policy Implications:

The appointment of a Deputy Mayor is a legislative requirement under the Local Government Act 2009.

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Financial Resource Implications:

The Deputy Mayor's role is provided with a slightly higher remuneration than other Councillors, with the maximum remuneration set by the Local Government Remuneration and Discipline Tribunal.

From 1 July 2015

Category 4			
	Cassowary Coast Regional Council	Mayor	\$120,226
	Central Highlands Regional Council	Deputy Mayor	\$75,141
	Gympie Regional Council	Councillor	\$63,870
	Isaac Regional Council		
	Livingstone Shire Council		
	Lockyer Valley Regional Council		
	Maranoa Regional Council		
	Mount Isa City Council		
	Noosa Shire Council		
	Scenic Rim Regional Council		
	Somerset Regional Council		
	South Burnett Regional Council		
	Southern Downs Regional Council		
	Tablelands Regional Council		
	Whitsunday Regional Council		

From 1 July 2016

Category 2			
	Maranoa Regional Council	Mayor	\$114,966
	Mareeba Shire Council	Deputy Mayor	\$68,980
	Mount Isa City Council	Councillor	\$57,483
	Somerset Regional Council		

Link to Corporate Plan:

Corporate Plan 2014-2019

Strategic Priority 1: Community Leadership & Accountability

1.8 Accountability to community for Performance & Compliance

1.8.6 Elections

Supporting Documentation:

Nil.

OFFICER REPORT

Meeting: Post-Election Meeting 6 April 2016

Date: 31 March 2016

Item Number: 1.2

File Number: D16/26450

SUBJECT HEADING: Setting of Day and Time for Council Meetings

Classification: Open Access

Officer's Title: Chief Executive Officer

Executive Summary:

This report has been prepared for Council to consider the day and time for holding Council meetings, as required under section 256 (1) of the Local Government Regulation 2012.

Officer's Recommendation:

That Council:

1. Schedule the first General Meeting for 13 April 2016 commencing at 1.30pm.
 2. Continue the General (Ordinary) meeting schedule on the second and fourth Wednesday of the month, commencing at 9.00am.
 3. Continue to hold General Meetings at Council's Roma Administration Centre.
 4. Not implement standing committees, but consider the less formal concept of Portfolios at a future meeting of Council.
 5. Review the concept of workshops, advisory committees, audit committee composition and community engagement initiatives at a future meeting of Council.
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Body of Report:

The relevant sections of the legislation are detailed below (*Local Government Regulation 2012*)

256 Agenda of post-election meetings

(1) *The matters a local government must consider at a post-election meeting include the day and time for holding other meetings.*

(2) *A **post-election meeting** is the meeting mentioned in section 175(1) of the Act.*

257 Frequency and place of meetings

(1) *A local government must meet at least once in each month.*

(2) *However, the Minister may, after written application by a local government, vary the requirement under subsection (1) for the local government.*

(3) *All meetings of a local government are to be held—*

(a) at 1 of the local government's public offices; or

(b) for a particular meeting—at another place fixed by the local government, by resolution, for the meeting.

General Meetings (Ordinary)

Since commencement of the 2008 term of Maranoa Regional Council, until close of the Council term in March 2016, Council has held its general meetings on the second and fourth Wednesday of each month, commencing at 9.00am.

This frequency was adopted by the former terms of Council on the basis that:

- It provided an opportunity for consideration of matters in a timely manner (i.e. fortnightly decisions rather than monthly decisions);
- Given the volume of information that was coming before Council for consideration, it spread the workload across two meetings (In the 2014/15 financial year, 860 decisions were made by Council);
- The frequency had been communicated extensively and was therefore well known internally (by Council staff), by business, key external parties, and the general community;
- Mid-week business hour meetings provided ready access to the authors of the Council reports and the management team.
(This enabled Councillors to ask questions / seek clarification on agenda reports prior to voting on the matters).
- Officers could prepare the draft minutes in the same week as the meeting, and urgent matters could be addressed in the business days that followed the meeting.

For the 2008 – 2012 term of Council, these meetings were held on a rotational basis around the region with the first meeting of the month held in Roma, and the second meeting of the month rotated around the region to the outlying towns of – Mitchell, Surat, Injune and Yuleba (where Council maintained a Customer Service access point for the local surrounding community).

This response of Council was strongly influenced by the amalgamation of the former shires to form one region and to:

- demonstrate Council's ongoing commitment to all of the regions' towns by providing an 'on the ground' Councillor presence in all communities; and
- the opportunity for community members to meet with the Councillors during those rotations to discuss key issues and matters of interest locally.

At the 2012 Post Election meeting, Council reviewed the rotational meeting locations for the 2012 – 2016 term, and resolved to hold all General meetings at its Roma Administration Centre, on the basis that the rotational meetings during the former term saw minimal community attendance at the meetings, or requests from residents to meet with the Councillors.

Early during the 2012 – 2016 term, Council also reviewed existing community engagement opportunities, and implemented a range of alternative community engagement forums across the region to better seek community input on key matters, and provide increased opportunities for the community to access the Councillors.

Council initiated its 'Out & About' forums, attended local town meetings, hosted project specific engagement sessions, and provided representation to community committees.

This approach also rationalised travel distances and times for Councillors, staff and guests of Council from outside the region by meeting in Roma. Roma is centrally located within the region, and has direct access to the Roma Airport for travelling guests of Council.

It is proposed that Council continue the current meeting frequency and location of its General meetings, being the second and fourth Wednesday of the month, commencing 9.00am, at Council's Roma Administration Centre. It is also proposed that the first General Meeting of this term be held on 13 April 2016 at 1.30pm.

Councillor Workshops

During the former two terms of Council, Council 'Workshops' have been held with Councillors.

Councillor workshops or 'briefing sessions' are non-decision making forums convened by Councillors, the Chief Executive Officer and, as directed by the Chief Executive Officer, other Council officers.

The informal workshops create an opportunity for Councillors and officers to discuss matters of proposed policy or other strategic or community sensitive issues, as well as providing a forum for Councillors to be made aware of issues of significance to the organisation and/or to the community.

Given that some of the issues requiring Council decisions are often complex or highly technical in nature, the informal setting provides a greater opportunity for Councillors to receive detailed briefings and be able to ask questions in a more relaxed forum. Workshops can also include presentations by visiting guests / consultants depending on the matters under consideration.

During the 2008 – 2012 term, following the amalgamation process, these were held on an 'as needs' basis.

During the 2012 – 2016 term, workshops were held on the Tuesday prior to the Council meeting, and on the Wednesday in the 'off meeting' weeks. Additional workshops were also held from time to time on an 'as needs' basis (e.g. for budget deliberations).

It is recommended that Council review the concept of Workshops or Councillor Briefings at a future meeting.

Committee Meetings

The Local Government Regulation 2012 includes the following references to committees:

264 Appointment of committees

- (1) A local government may—
(a) appoint, from its councillors, standing committees or special committees; and
(b) appoint advisory committees.
(2) Two or more local governments may appoint, from their councillors, a joint standing committee.

265 Advisory committees

- (1) An advisory committee—
(a) must not be appointed as a standing committee; and
(b) may include in its members persons who are not councillors.
(2) A member of an advisory committee (whether or not they are a councillor) may vote on business before the committee.

A brief overview of each is provided below:-

- a) Standing Committee – is a committee constituted to deal with a particular area of the Council on an ongoing basis e.g. Finance and Building & Planning etc. Standing Committees exist indefinitely.
- b) Special Committee – is a committee constituted to deal with a particular project or issue. Special Committees are ordinarily dissolved once they have completed their specific task.
- c) Advisory Committee – is a committee appointed by Council which includes Councillors and persons who are not Councillors to advise Council on key projects and businesses of Council.

The report author has worked under both models – with standing committees and without. A personal perspective is that the model without standing committees works well for decision making because:

- It is more team based – all Councillors participate to the same level on issues, receiving and debating the same information together (i.e. at the same time).
- There is less duplication of effort – dealing with an issue once only – rather than at committee level (with some Councillors) and then at the Ordinary meeting (with all Councillors).
- It efficiently uses staff resources – attending one meeting instead of potentially two.

Portfolios

In lieu of a formal committee structure, the previous term of Council implemented a Portfolio system whereby individual Councillors undertook tasks (for defined topics/areas of Council) outside the formal meeting framework including:

- Representing Council at various events (e.g. seminars/conferences/forums);
- Being the spokesperson for Council media releases;
- Attending associated Advisory Committee meetings;
- Meeting with constituents.

Whilst the concept of Portfolio is not reflected in the legislation, it has previously been useful at this and some other Councils as a way of sharing the workload (outside of Council meetings) across the Council team, while at the same time providing staff and residents a nominated contact. It also matches Councillors with areas of particular interest to them.

It is important to note though that all Councillors must still receive the same information as they are still charged with the same decision making and legal responsibilities under the Local Government Act. It also doesn't preclude a resident from contacting any elected member about any issue.

Advisory Committees

Although the former Council had no Standing or Special Committees in place, it had a number of formed Advisory Committees, attended by at least two (2) Councillors, one being the Chair. Feedback, or the outcomes of these meetings, assisted Council to identify priorities, inform decisions and develop future strategies and policies.

The following Advisory Committees, incorporating community members, were in place and active at the end of the 2016 term of Council:

- Roma Saleyards Advisory Committee
- Airports Advisory Committee
- Wild Dog Advisory Committee
- Bassett Park Advisory Committee
- Wallumbilla Show Grounds Advisory Committee
- Regional Roads Advisory Committee

In addition to advisory committees with community membership, Council also had in place a CSG Advisory Committee for the purposes of overseeing the implementation of the Road Infrastructure Agreement and funding partnerships.

Further, Council had in place an Audit Committee (its required composition is detailed in the Local Government Regulation 2012):

210 Audit committee composition

(1) *The audit committee of a local government must—*

(a) *consist of at least 3 and no more than 6 members; and*

(b) *include—*

(i) *1, but no more than 2, councillors appointed by the local government; and*

(ii) *at least 1 member who has significant experience and skills in financial matters.*

(2) *The chief executive officer can not be a member of the audit committee but can attend meetings of the committee.*

(3) *The local government must appoint 1 of the members of the audit committee as chairperson.*

Council was previously defined as a large local government (Category 3 or higher) meaning that it was required to establish an audit committee.

Local Government Regulation 2012

209 Prescribed class for large local government—Act, s 105

For the Act, section 105(3), definition large local government, a large local government is a local government belonging to a remuneration category of 3 or a higher number mentioned in the remuneration schedule.

Note—

Under section 105(2) of the Act, a large local government is required to establish an audit committee.

Despite the change in category, it is good governance to have an Audit Committee in place, and it is recommended that it be continued.

It is also recommended that Council review the existing advisory committee arrangements and audit committee composition at an upcoming meeting.

Consultation (internal/external):

Coordinator – Elected Members & Community Engagement
Directors

Risk Assessment (Legal, Financial, Political etc.):

The proposed approach will meet Council's obligations as prescribed under the Local Government Act and Regulation.

Policy Implications:

The report seeks to establish the new Council's policy position on meeting frequency, day, time and location.

Financial Resource Implications:

The recommended meeting rotations are currently budgeted for in the 2015/16 financial year. A review will need to be undertaken from a budgetary and resourcing perspective for significant changes to current arrangements.

Link to Corporate Plan:

Corporate Plan 2014-2019

Strategic Priority 1: Community Leadership & Accountability

1.8 Accountability to community for Performance & Compliance

1.8.6 Elections

Supporting Documentation:

Nil.