

Tablelands Regional Council

AGENDA

Post Election Council Meeting

Coordination Centre, 15 Vernon Street, Atherton

Tuesday, 09 April 2024

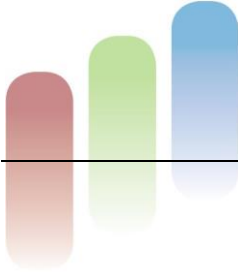
Commencing at 9:00 AM

THE SPECIAL MEETING OF THE TABLELANDS REGIONAL COUNCIL WILL BE HELD AT TRC COMMUNITY EDUCATION AND DISASTER COORDINATION CENTRE, ON TUESDAY, 09 APRIL 2024 AND THE ATTENDANCE OF EACH COUNCILLOR IS REQUESTED.

Public attendance at Council Meetings is permitted. The Post Election Council Meeting will be streamed live, recorded and published on Council's website for viewing by the public.

GARY RINEHART
CHIEF EXECUTIVE OFFICER





Council Members:

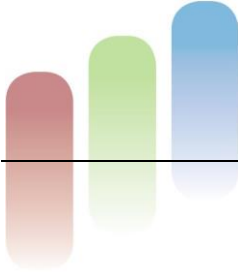
Mayor, Councillor Rod Marti
Division 1 - Councillor Kevin Cardew
Division 2 - Councillor Annette Haydon
Division 3 - Councillor Dave Bilney
Division 4 - Councillor Maree Baade
Division 5 - Councillor Con Spanos
Division 6 - Councillor Kylie Lang

At this meeting contributions made by members of the public may be recorded by way of audio recording which will be used for the purpose of developing the minutes of the meeting and decision making of Council.

The Council Meeting will be streamed live, recorded and published on Council's website for future viewing.

By attending a public meeting of the Council, you acknowledge that your image and voice may be recorded and published.

Tablelands Regional Council is bound by the Information Privacy Act 2009 to protect the privacy of personal information.



Principles for Local Government

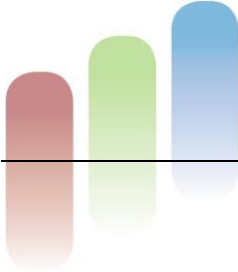
The **local government principles** stated in the Local Government Act 2009 are:

- (a) transparent and effective processes, and decision-making in the public interest;
- (b) sustainable development and management of assets and infrastructure, and delivery of effective services;
- (c) democratic representation, social inclusion and meaningful community engagement;
- (d) good governance of, and by, local government;
- (e) ethical and legal behaviour of councillors and local government employees.

Key Priorities and Strategic Goals from the TRC Corporate Plan

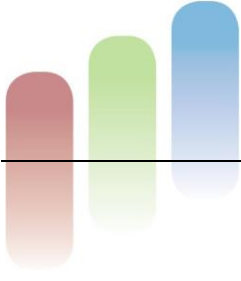
Strategic Themes





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6. CHIEF EXECUTIVE OFFICER

6.1. APPOINTING OF DEPUTY MAYOR

REPORT DETAIL

Report Author: Gary Rinehart

Department: Office of Chief Executive Officer

EXECUTIVE SUMMARY

Council must appoint a Deputy Mayor at the Post Election Meeting in accordance with section 175(2) of the *Local Government Act 2009* (**LG Act**).

OFFICER'S RECOMMENDATION

"That Council appoint Cr as Deputy Mayor."

BACKGROUND

The role of the Deputy Mayor is to:

- Act for the Mayor during
 - the absence or temporary incapacity of the Mayor; or
 - a vacancy in the office of the Mayor.

The Deputy Mayor has the same responsibilities as all other councillors pursuant to section 12(3) of the LG Act, and only has additional responsibilities under the LG Act whilst acting as the Mayor.

There are a number of possible processes for selecting a Deputy Mayor including:

1. Councillors may move and second a Councillor for Deputy Mayor and put the matter to a vote; or
2. Councillors may wish to hold a ballot whereby each Councillor nominates a Councillor for Acting Mayor on a piece of paper and the CEO counts the nominations and the Councillor with the most nominations is formalised in a motion and vote or
3. Councillors may nominate Councillors, or themselves, and those accepting the nomination go into a ballot in accordance with the process notified in 2 above.

PROJECT OBJECTIVE AND SCOPE

N/A

LINK TO CORPORATE PLAN

Our Organisation

- Model leadership and good governance

LINK TO STRATEGIES, POLICIES AND PLANS

N/A



CONSULTATION

Nil

LEGAL IMPLICATIONS

N/A

POLICY IMPLICATIONS

Local Government Act 2009

Refencing Section 175 Post-election meetings

FINANCIAL & RESOURCE IMPLICATIONS

Capital

N/A

Operating

There are no additional financial obligations to Council.

Is the expenditure included in the current annual budget?

Yes

COST BENEFIT ANALYSIS

N/A

RISK / SUSTAINABILITY ASSESSMENT

N/A

IMPLEMENTATION/COMMUNICATION

The Strategic Communications Officer will prepare a press release which will inform the public of the appointment of the Deputy Mayor.

The CEO will email staff following this meeting to inform Council staff of the appointment of the Deputy Mayor.

CHANGE MANAGEMENT

N/A

ATTACHMENTS

1. N/A

Date Prepared: 03 April 2024



6.2. COUNCIL MEETING DATES

REPORT DETAIL

Report Author: Gary Rinehart

Department: Office of the Chief Executive Officer

EXECUTIVE SUMMARY

Council is required in accordance with section 256 of the *Local Government Regulation 2012 (LG Reg)* to consider when it will hold its Meetings. These are the meetings at which Council business is considered and decisions are made.

OFFICER'S RECOMMENDATION

"That Council:

1. Hold its Ordinary Meetings on the fourth Thursday of the month commencing at 9.00am, except for the April 2024 meeting which is to be held on Wednesday 24 April, 2024 due to ANZAC Day on 25 April 2024.
2. Conduct these Meetings at 15 Vernon Street, Atherton, unless otherwise resolved by Council pursuant to section 257(3) of the *Local Government Regulation 2012 (LG Reg)*.
3. Publish the meeting dates as legislated by the LG Reg.
4. Advise the public that Meetings will be made available for real-time and webcast viewing or listening by the public on Council's website."

BACKGROUND

The schedule of meetings is a decision for Council based on what is suitable for all the Councillors, community and the organisation.

Local Governments are required to have a least one meeting per month to consider and decide on business put before Council.

Council may at any time change the schedule of meetings if it is found to be unsuitable. TRC is required to give the public adequate notice of these changes under section 254B of the LG Reg.

Council must hold its meetings in public unless the report being considered meets one of the requirements under section 254J of the LG Reg.

PROJECT OBJECTIVE AND SCOPE

N/A

LINK TO CORPORATE PLAN

Our Organisation

- Model leadership and good governance

LINK TO STRATEGIES, POLICIES AND PLANS

N/A



CONSULTATION

N/A

LEGAL IMPLICATIONS

The provisions of the LG Reg set out in the Background section of this Report.

POLICY IMPLICATIONS

N/A

FINANCIAL & RESOURCE IMPLICATIONS

Capital

N/A

Operating

There are no additional financial obligations to Council.

Is the expenditure included in the current annual budget?

Yes

COST BENEFIT ANALYSIS

N/A

RISK / SUSTAINABILITY ASSESSMENT

N/A

IMPLEMENTATION/COMMUNICATION

Council will issue a press release about the Post Election Meeting which will inform the public of the meeting dates and location.

The CEO will email staff regarding the Post Election Meeting which will inform Council staff of the meeting dates and location.

Details will also be published on Council's website.

CHANGE MANAGEMENT

Executive staff will make the necessary operational changes to implement the adopted Council meeting schedule.

ATTACHMENTS

1. N/A

Date Prepared: 03 April 2024



6.3. PLANNING STANDING COMMITTEE

REPORT DETAIL

Report Author: Chief Executive Officer

Department: Office of the Chief Executive Officer

EXECUTIVE SUMMARY

In its previous term, Council appointed councillors to a standing committee pursuant to section 264(1) of the *Local Government Regulation 2012 (LG Reg)*. The purpose of this Report is to consider the composition of that standing committee if it is to continue to exist, or to dissolve the standing committee if it is not to continue to exist.

OFFICER'S RECOMMENDATION

"That Council dissolves its planning standing committee".

BACKGROUND

In its previous term, Council established a planning standing committee pursuant to section 264(1) of the LG Reg.

The reasoning behind the establishment of a planning standing committee was so that deliberations about certain planning matters could take place through the committee to expedite consideration of planning applications and ensure those applications could be considered within statutory timeframes.

Given the volume of planning applications currently being received by Council, it is considered the planning standing committee is no longer required.

For this reason, it is proposed to dissolve the planning standing committee.

If Council wishes to continue the planning standing committee, then a decision should be made about the composition of that committee.

PROJECT OBJECTIVE AND SCOPE

N/A

LINK TO CORPORATE PLAN

Our Organisation

- Model leadership and good governance

LINK TO STRATEGIES, POLICIES AND PLANS

N/A

CONSULTATION

Internal

Nil



External

Nil

LEGAL IMPLICATIONS

The provisions of the LG Reg set out in the Background section of this Report.

HUMAN RIGHTS CONSIDERATIONS

Under the *Human Rights Act 2019* (Qld), Council must not make a decision that is incompatible with human rights. Council must also give proper consideration to any human rights relevant to its decision.

Officers consider that there are no human right implications relevant to Council's decision in this matter.

POLICY IMPLICATIONS

N/A

FINANCIAL & RESOURCE IMPLICATIONS

Capital

N/A

Operating

There are no additional financial obligations to Council. There may be some cost savings or efficiencies associated with not continuing standing committee meetings.

Is the expenditure included in the current annual budget?

N/A

COST BENEFIT ANALYSIS

N/A

RISK/SUSTAINABILITY ASSESSMENT

See observations in the Background section of this Report.

IMPLEMENTATION/COMMUNICATION

Relevant members of the planning standing committee will be advised of the outcome of this recommendation.

CHANGE MANAGEMENT

Executive staff will make the necessary operational changes to implement the Council's decision.



ATTACHMENTS

1. N/A

Date Prepared: 4 April 2024



6.4. APPOINTMENT OF FNQROC REPRESENTATIVE

REPORT DETAIL

Report Author: Chief Executive Officer

Department: Office of the Chief Executive Officer

EXECUTIVE SUMMARY

Council is a member Council of the Far North Queensland Regional Organisation of Councils (**FNQROC**). Under Clause 11 of FNQROC's Charter, each member Council must appoint an elected representative for a term of not less than one year to attend meetings.

OFFICER'S RECOMMENDATION

"That Council:

1. appoints the Mayor as its representative pursuant to Clause 11 of the Far North Queensland Regional Organisation of Councils (**FNQROC**) Charter;
2. delegates to the Chief Executive Officer the power to appoint an elected representative for the purpose of FNQROC's Charter, in the event the Mayor is unavailable and the Deputy Mayor is also unavailable."

BACKGROUND

Council's participation in the FNQROC, including at FNQROC meetings, is considered to be of high importance.

Clause 11 of the FNQROC Charter contemplates each member Council appointing an elected representative for that person to attend FNQROC meetings and otherwise participate in FNQROC consistently with its Charter.

In the past, Council has been represented by its Mayor, and the majority of member Councils of FNQROC are represented by its Mayor.

The recommendation includes a delegation to the Chief Executive Officer to appoint an elected representative in circumstances where the Mayor and Deputy Mayor are both unavailable. This circumstance has arisen in the past, and is considered necessary to ensure continuity in the event of absences at short notice.

PROJECT OBJECTIVE AND SCOPE

N/A

LINK TO CORPORATE PLAN

Our Organisation

- Model leadership and good governance

LINK TO STRATEGIES, POLICIES AND PLANS

N/A



CONSULTATION

Internal

Nil

External

Nil

LEGAL IMPLICATIONS

The provisions of the LG Reg set out in the Background section of this Report.

HUMAN RIGHTS CONSIDERATIONS

Under the *Human Rights Act 2019* (Qld), Council must not make a decision that is incompatible with human rights. Council must also give proper consideration to any human rights relevant to its decision.

Officers consider that there are no human right implications relevant to Council's decision in this matter.

POLICY IMPLICATIONS

N/A

FINANCIAL & RESOURCE IMPLICATIONS

Capital

N/A

Operating

There are no additional financial obligations to Council.

Is the expenditure included in the current annual budget?

N/A

COST BENEFIT ANALYSIS

N/A

RISK/SUSTAINABILITY ASSESSMENT

N/A

IMPLEMENTATION/COMMUNICATION

N/A

CHANGE MANAGEMENT

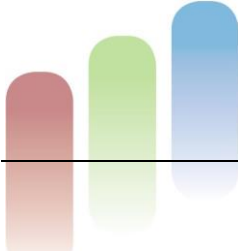
N/A



ATTACHMENTS

1. N/A

Date Prepared: 4 April 2024



6.5. LOCAL DISASTER MANAGEMENT GROUP APPOINTMENT OF CHAIR AND DEPUTY CHAIR

REPORT DETAIL

Report Author: Gary Rinehart

Department: Office of the Chief Executive Officer

EXECUTIVE SUMMARY

The 2023-24 wet season has been active. With the conclusion of the election, and given the need to manage the multi-agency planning, response and recovery activities associated with disaster events, there is a requirement to appoint a new chairperson of the Local Disaster Management Group (LDMG).

OFFICER'S RECOMMENDATION

"That Council:

1. Appoint the Mayor as Chairperson of Local Disaster Management Group
2. Appoint Cr [insert name] as Deputy Chairperson of the Local Disaster Management Group."

BACKGROUND

This section of the report references the requirements of the [Disaster Management Act 2003](#).

S.29 requires local governments to establish a Local Disaster Management Group (LDMG) for the local government's area.

S.30 details the functions of the LDMG. The LDMG is required to develop a functional operational planning scheme which includes mitigation, preparation for, response to, and recovery from disaster events.

Section 34 Chairperson and deputy chairperson

- (1) There is a chairperson and a deputy chairperson of a local group.
- (2) The chairperson and deputy chairperson are the persons prescribed by regulation.
- (3) A regulation under this section may provide for—
 - (a) the appointment of the chairperson and deputy chairperson of a local group; and
 - (b) the qualifications and experience required for a person to be the chairperson or deputy chairperson.

Section 34A Functions of chairperson of local group

The chairperson of a local group has the following functions—

- (a) to manage and coordinate the business of the group
- (b) to ensure, as far as practicable, that the group performs its functions
- (c) to report regularly to the relevant district group, and the chief executive of the department, about the performance by the local group of its functions.



This section of the report references the requirements of the [Disaster Management Regulation 2014](#).

Section 10 Chairperson and deputy chairperson of local groups—Act, s 34

(1) For section 34(2) of the Act, the chairperson and deputy chairperson of a local group are the persons appointed by the relevant local government for the local group to be the chairperson and deputy chairperson.

(2) The chairperson must be a councillor of a local government.”

Section 13 Quorum

A quorum for a meeting of a disaster management group is the number equal to

- (a) one-half of its members for the time being holding office plus 1; or
- (b) if one-half of its members for the time being holding office is not a whole number, the next highest whole number.

Section 16 Presiding at Meetings

(1) The chairperson of a disaster management group is to preside at all meetings of the group at which the chairperson is present.

(2) If the chairperson is absent from a meeting of a disaster management group, but the deputy chairperson is present, the deputy chairperson is to preside.

(3) If the chairperson and deputy chairperson are both absent from a meeting of the group—

- (a) the member of the group nominated by the chairperson is to preside; or
- (b) if the chairperson does not nominate a member under paragraph (a)—the member nominated by the deputy chairperson is to preside.

(4) If the offices of chairperson and deputy chairperson are vacant, the member of the group chosen by the members present is to preside.

Lessons learnt from previous disaster events have demonstrated that the position of LDMG Chairperson should be occupied by the Mayor in their role as community leader and as the spokesperson for Tablelands Regional Council. In order to effectively fulfil the requirements of this role, the Chairperson needs to be fully conversant with the Queensland Disaster Management Arrangements and LDMG Sub Plans, be able to confidently lead the community preparation for, response to, and recovery from disasters and report on response and recovery operations after an event.

A Deputy Chairperson for the Local Disaster Management Group must also be appointed. The Deputy Chairperson must be able to provide the functions of the Chairperson in their absence, and to facilitate 24/7 operations required. To effectively achieve quorum for meetings, the Chairperson and the Deputy Chairperson share one vote.

The existing Terms of Reference and structure of the Tablelands LDMG is currently being reconsidered. A report to adopt the revised terms of reference and appoint Councillors to LDMG Subgroups will be addressed at a future ordinary Council meeting.

PROJECT OBJECTIVE AND SCOPE

N/A



LINK TO CORPORATE PLAN

Our Organisation

- Model leadership and good governance

LINK TO STRATEGIES, POLICIES AND PLANS

N/A

CONSULTATION

Internal

- CEO
- Senior Advisor Emergency Management
- LDMG members

External

- LDMG members

LEGAL IMPLICATIONS

Compliance with the *Disaster Management Act 2003* and *Disaster Management Regulation 2014*.

POLICY IMPLICATIONS

N/A

FINANCIAL & RESOURCE IMPLICATIONS

Capital

N/A

Operating

There are no additional financial obligations to Council.

Is the expenditure included in the current annual budget?

Yes

COST BENEFIT ANALYSIS

N/A

RISK / SUSTAINABILITY ASSESSMENT

N/A

IMPLEMENTATION/COMMUNICATION

Council's decision will be communicated with relevant stakeholders internally and externally.

In accordance with s 37 Tablelands Regional Council must, at least once a year, give written notice of the members of the Tablelands LDMG to the Chief Executive and the Chairperson



of the Mareeba District Disaster Management Group. This will be undertaken once the key positions are appointed.

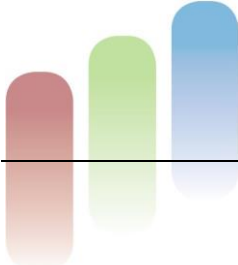
CHANGE MANAGEMENT

Appointed Chair and Deputy Chair will be provided appropriate Disaster Management training and support for their role. All Councillors will receive mandatory training in disaster management.

ATTACHMENTS

1. N/A

Date Prepared: 03 April 2024



7. INFRASTRUCTURE & PLANNING SERVICES

Nil

8. COMMUNITY & CORPORATE SERVICES

Nil

9. CONFIDENTIAL ITEMS

Nil

10. NEXT MEETING OF COUNCIL

The next meeting of Council will be held on
9:00 am on 24 April 2024