



UNCONFIRMED MINUTES

STATUTORY POST-ELECTION MEETING

HELD GEORGETOWN SHIRE HALL
ST GEORGE STREET, GEORGETOWN

ON WEDNESDAY 15 APRIL 2020,

COMMENCING AT 9.00AM

ETHERIDGE SHIRE COUNCIL

MINUTES OF STATUTORY POST-ELECTION MEETING

HELD AT GEORGETOWN

ON WEDNESDAY 15 APRIL 2020

COMMENCING AT 9.00AM

ATTENDANCE

Crs B Hughes, L Royes, J Haase, C Barnes, & T Gallagher.

OFFICERS PRESENT

Mr. David Munro, Chief Executive Officer
Miss Melanie Hensel, Executive Assistant

GALLERY

Mrs. Tammy Hughes
Mr. Aaron Prior
Mrs. Pauline Royes
Mr. Trevor Arnett

The Chief Executive Officer declared the meeting open at 9.10am and welcomed all in attendance.

WELCOME TO COUNTRY

We respectfully acknowledge the Ewamian People - the traditional custodians of this land where we meet for the Statutory Post-Election Meeting. We pay our respects to the Ewamian People, especially the Elders, past and present and acknowledge their traditional customs and lores and recognize their continuing connection to this Country.

We look forward to a long and continuing relationship with the Ewamian People and value any opportunities in strengthening relationships and partnerships through collaboration by respecting their Country.

DECLARATION OF OFFICE

The Chief Executive Office conducted the “Declaration of Office “for the newly elected Mayor and Councillors in accordance with Section 169 of the Local Government Act 2009.

*“I, _____, having been elected as a councillor of the **Etheridge Shire Council**, 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”*

Each Councillor undertook the Declaration of Office separately in front of the Chief Executive Officer, fellow Councillors and the gallery who were in attendance.

Following the Declaration of Office, the Mayor resumed the Chair from the Chief Executive Officer to continue with the Statutory Post Election Meeting.

Mayor Hughes welcomed and congratulated the new Councillors and welcomed the Chief Executive Officer and Council staff present, as well as the gallery in attendance.

CONSIDERATION OF STATUTORY POST-ELECTION REPORTS

SPEM1.

Appointment of Deputy Mayor

EXECUTIVE SUMMARY

Section 175 of the Local Government Act 2009 states that the Local Government must by resolution appoints a Deputy Mayor from its Councillors (other than the Mayor) at the Post Election Meeting.

Mayor Hughes called for nominations for the position of Deputy Mayor under section 175 of the Local Government Act 2009.

Cr. Barnes nominated Cr. Royes for the position of Deputy Mayor.
This nomination was seconded by Cr. Haase.

Cr Royes accepted the nomination for the position of Deputy Mayor.

Mayor Hughes asked for further nominations and with no further nominations Mayor Hughes put the motion to vote.

RESOLUTION

That Council:

Resolve to appoint Cr Royes as the deputy mayor pursuant to Section 175 (2) of the Local Government Act 2009.

MOVED: Cr Barns

SECONDED: Cr Haase

CARRIED
RESOLUTION NO.2020/SPEM001
5/0

RESOLUTION

That Council:

Resolve to maintain the position of Deputy Mayor for a period of four years.

MOVED: Cr Barns

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2020/SPEM002
5/0

SPEM2.

Public Notice of Meetings for 2020

EXECUTIVE SUMMARY

As part of the Post-Election Meeting, Council must consider when its Ordinary Meetings (excluding Committee Meetings) will be conducted and furthermore Council must publish a notice of the days and times when its ordinary meetings will be held and furthermore Council must publish this notice in a newspaper circulating generally in the Local Government area in accordance with Section(s) 277 (1) & (2) of the Local Government Regulation 2012.

In accordance with Section 257 of the Local Government Regulation 2012, Council must:

(1) 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.**

The former Council was holding the General meetings monthly, on the third Wednesday of each month.

RESOLUTION

That Council:

Resolve to adopt the following meeting dates as presented for 2020 pursuant to and in accordance with Section 256, 257 and 277(1) of the Local Government Regulation 2012 and furthermore Council will publish this notice within the Inform Newsletter and also on Councils website.

Month	Date	Venue	Time
April	Wednesday, 22 April 2020	Georgetown	9.00am
May	Wednesday, 20 May 2020	Georgetown	9.00am
June	Wednesday, 17 June 2020	Georgetown	9.00am
July	Wednesday, 15 July 2020	Georgetown	9.00am
August	Wednesday, 19 August 2020	Georgetown	9.00am
September	Wednesday, 16 September 2020	Georgetown	9.00am
October	Wednesday, 21 October 2020	Georgetown	9.00am
November	Wednesday, 18 November 2020	Georgetown	9.00am
December	Wednesday, 16 December 2020	Georgetown	9.00am

MOVED: Cr Royes

SECONDED: Cr Haase

CARRIED
RESOLUTION NO.2020/SPEM003
5/0

REASONS FOR DECISION

As part of the Post-Election Meeting, Council must consider when its Ordinary Meetings (excluding Committee Meetings) will be conducted. At least once in each year, Council must publish a notice of the days and times when its ordinary meetings will be held which is in accordance with S.277(1) of the Local Government Regulation 2012.

SPEM3.

Councillor Remuneration 2020/21

EXECUTIVE SUMMARY

Each year the Local Government Remuneration and Discipline Tribunal review the rate of pay applicable to Councillors in each category of Council. Having decided on a maximum amount of remuneration for each category before 1 December each year, the Tribunal must prepare a remuneration schedule and a report within 14 days. A copy of the schedule and report must be provided to the Minister, and the schedule must be published in the Queensland Government Gazette.

Councils must pay the maximum amount of remuneration to councillors unless, by resolution within 90 days of the gazettal of a new schedule, they decide on another amount which cannot exceed the maximum decided by the Tribunal.

RESOLUTION

That Council:

Resolve to accept the Local Government Remuneration and Discipline Tribunal Schedule of Rates for Councilor’s remuneration effective from 1st July 2020 in accordance with Section 247 of the Local Government Act 2009 and furthermore that Council resolve to identify, that the Ordinary General Meetings and Budget (workshop) Meetings are those “identified “meetings where the presence of all councillors is expected to attend to receive the meeting fee component of the remuneration level set out in the Local Government Remuneration and Discipline Tribunal’s remuneration schedule below.

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	Salary 1 July 19 to 30/6/20	Salary 1 July 20 to 30/6/21	Difference	%increase /decrease
Mayor	\$106,100	\$108,222	\$2,122	2.0%
Deputy Mayor	\$61,211	\$62,435	\$1,224	2.0%
Councillors	<i>(see Note 2)</i> \$53,049	<i>(see Note 2)</i> \$54,110	\$1,061	2.0%

Note 2

For councillors in Category 1 councils, a base payment of \$36,073.28 is payable for the 12 months commencing on 1 July 2020. A meeting fee of \$1,503.06 per calendar month (or fortnightly equivalent) is payable for attendance at, and participation in, scheduled meetings of council subject to certification by the mayor and/or chief executive officer of the council. Mayors and deputy mayors in category 1 councils are to receive the full annual remuneration level shown.

MOVED: Cr Gallagher

SECONDED: Cr Royes

CARRIED
RESOLUTION NO.2020/SPEM004
5/0

REASONS FOR DECISION

The Local Government Remuneration & Discipline Tribunal determines the level of remuneration that each Category of Council is to receive each year which is in accordance with S.247 of the Local Government Act 2009

ADJOURNMENT

Council adjourn for morning tea at 10:50am.

RESUMPTION

Council resumed the meeting at 11:16am.

ATTENDANCE

Mr. Aaron Prior and Mrs. Pauline Royes did not return after Morning Tea.

SPEM4.

Councillor Reimbursement of Expenses and Provision of Facilities Policy

EXECUTIVE SUMMARY

Section 250(1) of the Local Government Regulation 2012 states that a Local Government, must adopt by resolution an expenses reimbursement policy.

The Councillor’s reimbursement of expenses and provision of facilities policy is a policy providing for the following –

- a) payment of reasonable expenses incurred, or to be incurred, by councillors for discharging their duties and responsibilities as councillors;***
- b) provision of facilities to councillors for that purpose***

This policy ensures accountability and transparency in the reimbursement of expenses incurred by councilors and ensures that councilors are provided with reasonable facilities to assist them in carrying out their civic duties.

RESOLUTION

That Council:

Resolve to adopt the “Councillor Reimbursement of Expenses and Provision of Facilities Policy” in accordance with and pursuant to Section 250(1) of the Local Government Regulation 2012.

MOVED: Cr Barns

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2020/SPEM005
5/0

REASONS FOR DECISION

Section 250(1) of the Local Government Regulation 2012 states that a Local Government must adopt by resolution an expenses reimbursement policy and in addition the policy needs to be reviewed annually.

SPEM5.

Councillors Code of Conduct

EXECUTIVE SUMMARY

The Code of Conduct sets out the principles and standards of behaviour expected of Councillors and Mayors when carrying out their roles, responsibilities and obligations as elected representatives for their communities. By adhering to the behaviours set out below, Councillors will increase public confidence in Local Government and Council decisions.

Under section 150D of the Local Government Act 2009 (the Act), the Minister for Local Government must make a Code of Conduct stating the standards of behaviour for Councillors in the performance of their responsibilities as Councillors. In addition to this, the Code of Conduct may contain anything the Minister considers necessary for, or incidental to, the standards of behaviour.

Before assuming public office, Councillors must understand and commit to complying with the Local Government principles and obligations of Councillors in accordance with section 169 of the Act, as well as the standards of behaviour set out in this Code of Conduct. All Councillors are required to make a declaration of office under section 169 of the Act. As part of that declaration, Councillors must declare that they will abide by this Code of Conduct.

RESOLUTION

That Council:

Resolve to adopt the Councillors Code of Conduct as prepared by the Minister under Section 150D of the Local Government Act 2009 and approved under Section 239A of the Local Government Regulation 2012

MOVED: Cr Gallagher

SECONDED: Cr Royes

CARRIED
RESOLUTION NO.2020/SPEM006
5/0

REASONS FOR DECISION

Under section 150D of the Local Government Act 2009 (the Act), the Minister for Local Government must make a Code of Conduct stating the standards of behaviour for Councillors in the performance of their responsibilities as Councillors. In addition to this, the Code of Conduct may contain anything the Minister considers necessary for, or incidental to, the standards of behaviour.

SPEM6.

Standing Orders for Council Meetings & Model Meeting Procedures

EXECUTIVE SUMMARY

The Queensland Government is delivering a rolling reform agenda in the local government sector.

New reforms since October 2017 strengthen the transparency, accountability and integrity measures that apply to the system of local government in Queensland, and follow the release of the Belcarra report and other input from local government stakeholders.

As part of that reform process the Department of Local Government, Racing & Multicultural Affairs has developed a number of documents for Local Governments to adopt due to Legislative changes to the Act & Regulation and a number of documents to strengthen the transparency, accountability and integrity measures that apply to the system of local government in Queensland.

The following documents have been prepared for consideration by Council to complement the recent amendments to legislation:

- *Standing Orders for Council Meetings including Standing Committees 'Best Practice Guide'*

- *Model Meeting Procedures*
- *Example Investigation Policy*

RESOLUTION

That Council:

Resolve to lay this matter on the table and furthermore requested that this matter be brought back to the April 2020 General Meeting for further consideration.

MOVED: Cr Royes

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2020/SPEM007
5/0

SPEM7.

Adoption of an Investigation Policy (S.150AE of the LGA 2009)

EXECUTIVE SUMMARY

A local government must adopt, by resolution, a policy (an investigation policy) about how it deals with the suspected inappropriate conduct of councillors referred, by the assessor, to the local government to be dealt with.

The policy must—

- a) include a procedure for investigating the suspected inappropriate conduct of councillors; and*
- b) state the circumstances in which another entity may investigate the conduct; and*
- c) be consistent with the principles of natural justice; and*
- d) require councillors and persons who make complaints about Councillor's conduct to be given notice about the outcome of investigations.*

The policy may allow the local government to ask the president of the conduct tribunal to—

- a) investigate the conduct of a Councillor; and*
- b) make recommendations to the local government about dealing with the conduct.*

RESOLUTION

That Council:

Resolve to lay this matter on the table and furthermore requested that this matter be brought back to the April 2020 General Meeting for further consideration.

MOVED: Cr Gallagher

SECONDED: Cr Haase

CARRIED
RESOLUTION NO.2020/SPEM008
5/0

SPEM8.

Councillor Acceptable Requests for Information Advice Guidelines Policy (S.170A)

EXECUTIVE SUMMARY

The purpose of this policy is to provide clear guidelines when a Councillor asks an employee for advice, to assist them carry out their responsibilities and when they ask the CEO to provide information, that the Council has access to, relating to Council. (S.170A)

RESOLUTION

That Council:

Resolve to lay this matter on the table and furthermore requested that this matter be brought back to the April 2020 General Meeting for further consideration.

MOVED: Cr Barns

SECONDED: Cr Haase

CARRIED
RESOLUTION NO.2020/SPEM009
5/0

SPEM9.

Council Representation on Regional Organizations and Committees

EXECUTIVE SUMMARY

Council currently has membership on various organisations and committees that are aligned to Council's interests both local and regional. In the past, The Mayor and the Chief Executive Officer have been the primary attendees at these meetings along with the Deputy Mayor or another appointed Councillor depending on the membership rules.

Council may wish to consider nominating a Councillor to attend specific organization meetings and be Councils nominated representative for that organization.

RESOLUTION

That Council:

Resolve to lay this matter on the table and furthermore requested that this matter be brought back to the April 2020 General Meeting for further consideration.

MOVED: Cr Royes

SECONDED: Cr Barns

CARRIED
RESOLUTION NO.2020/SPEM010
5/0

SPEM10.

Media & Communication Policy

EXECUTIVE SUMMARY

Etheridge Shire Council's interaction with the media requires careful management and a consistent and proactive approach. The development of clear processes around media interaction and factors such as: target publics, political sensitivity and public interest are essential in maintaining a positive organisational reputation and serve the interests of all stakeholders.

The intent of this Policy is intended to clarify the appropriate process for:

- 1. Preparing / releasing media statements (proactive).*
- 2. Responding to media enquiries (reactive).*

RESOLUTION

That Council:

Resolve to adopt the Etheridge Shire Council Media & Communication Policy subject to including an amendment to the policy to allow the chairpersons of committees to speak to the media concerning that committee.

MOVED: Cr Gallagher

SECONDED: Cr Royes

CARRIED
RESOLUTION NO.2020/SPEM011
5/0

REASONS FOR DECISION

- Council acknowledges the important role that media interaction plays in community engagement.
- Council respects the principle of freedom of the press and the right of media outlets to report on Council matters in a manner that they consider appropriate.
- Council will seek positive relationships with media outlets to ensure that balanced and objective reporting of Council matters is achieved.

SPEM11.

Handling of Confidential Information Policy

EXECUTIVE SUMMARY

A Councillors role requires them to be in receipt of confidential information that may or may not be part of a formal Council meeting. Councillors must use Council information in a way that promotes and maintains the public's trust and confidence in the integrity of the local government.

This policy does not override an individual Councillor's statutory obligation in respect of the use of information, nor does it override Council's obligations under the Local Government Act 2009 ("the Act") or any other legislation or subordinate legislation to disclose or publish information where this is required by law.

This policy applies to confidential information held by Council and Councillors, including past Councillors & Employees.

RESOLUTION

That Council:

Resolve to adopt the Handling of Confidential Information Policy

MOVED: Cr Royes

SECONDED: Cr Haase

CARRIED
RESOLUTION NO.2020/SPEM012
5/0

REASONS FOR DECISION

A Councillors role requires them to be in receipt of confidential information that may or may not be part of a formal Council meeting. Councillors must use Council information in a way that promotes and maintains the public's trust and confidence in the integrity of the local government.

SPEM12.

Appointment of Chair & Deputy Chair for the Local Disaster Management Group

EXECUTIVE SUMMARY

A local government must establish a Local Disaster Management Group (a local group) for the local government's area which is in accordance with S.29 of the Disaster Management Act 2003 and furthermore the local group has the following functions for its area—

To ensure that disaster management and disaster operations in the area are consistent with the State group's strategic policy framework for disaster management for the State;

- a) to develop effective disaster management, and regularly review and assess the disaster management;***
- b) to help the local government for its area to prepare a local disaster management plan;***
- c) to identify, and provide advice to the relevant district group about, support services required by the local group to facilitate disaster management and disaster operations in the area;***
- d) to ensure the community is aware of ways of mitigating the adverse effects of an event, and preparing for, responding to and recovering from a disaster;***
- e) to manage disaster operations in the area under policies and procedures decided by the State group;***
- f) to provide reports and make recommendations to the relevant district group about matters relating to disaster operations;***
- g) to identify, and coordinate the use of, resources that may be used for disaster operations in the area;***
- h) to establish and review communications systems in the group, and with the relevant district group and other local groups in the disaster district of the relevant district group, for use when a disaster happens;***
- i) to ensure information about a disaster in the area is promptly given to the relevant district group;***
- j) to perform other functions given to the group under this Act;***
- k) to perform a function incidental to a function mentioned in paragraphs (a) to (k).***

Mayor Hughes called for nominations for the position of Deputy Chair for the Local Disaster Management Group.

Cr. Barns nominated Cr Royes for the position of Deputy Chair.
This nomination was seconded by Cr. Gallagher

Cr. Haase nominated himself for the position of Deputy Chair.
This nomination was seconded by Cr. Royes.

Cr. Royes and Cr. Haase both accepted their nominations.

Mayor Hughes called for further nominations for the position of Deputy Chair and with no further nominations Mayor Hughes called for a vote on the position of Deputy Chair for the Local Disaster Management Group.

Councillors 4/1 in favor of Cr Royes for the position of Deputy Chair for the Local Disaster Management Group.

RESOLUTION

That Council:

Resolve to appoint the Mayor as the Etheridge Shire Council Local Disaster Management Group Chairperson and Cr Royes as the Deputy Chairperson in accordance with S.10 of the Disaster Management Regulation 2014

MOVED: Cr Gallagher

SECONDED: Cr Barnes

CARRIED
RESOLUTION NO.2020/SPEM013
5/0

Mayor Hughes thanked the previous Mayor, the Chief Executive Officer, and all members of the LDMG for their work and contributions to date in relation to the current Health Pandemic.

REASONS FOR DECISION

A local government must establish a Local Disaster Management Group (a **local group**) for the local government's area. In accordance with and pursuant to section 34(2) of the Disaster Management Act 2003, 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 and furthermore the chairperson must be a Councillor of a local government.

SPEM13.

Election of Association Executive District Representatives 2020-2024

EXECUTIVE SUMMARY

The Local Government Association of Queensland (LGAQ) under rule 5.4 of the Associations Constitution and Rules is calling for nominations for the election of District Representatives to the Association's Policy Executive for the period 2020-2024.

Councils within an Electoral District are entitled to nominate candidates for election from amongst elected members of the Councils within their district.

Etheridge Shire Council is included within District Number 11 (North West)

RESOLUTION

That Council:

Resolve to nominate Cr Haase to represent District Number 11 on the Association's Policy Executive in accordance with rule 5.4 of the Constitution and Rules of the Association for the period 2016-2020.

MOVED: Cr Hughes

SECONDED: Cr Royes

CARRIED
RESOLUTION NO.2020/SPEM014
5/0

ADJOURNMENT

Council adjourn for lunch at 1:08pm.

RESUMPTION

Council resumed the meeting at 1:36pm.

SPEM14.

Financial Performance (Actual v Budget) for the period 1 July 2019 to 30 June 2020

EXECUTIVE SUMMARY

It is a statutory requirement under Section 204 of the Local Government Regulation 2012 that the Chief Executive Officer must present a Financial Report of its accounts to the Local Government at least monthly.

RESOLUTION

That Council:

Note & receive the Financial Report which incorporates the monthly statutory financial statements (Statement of Comprehensive Income, Statement of Financial Position & Statement of Cashflows) pursuant to and in accordance with Section 204 of the Local Government Regulation 2012 for the period ending 31st March 2020.

MOVED: Cr Gallagher

SECONDED: Cr Barns

CARRIED
RESOLUTION NO.2020/SPEM015
5/0

REASONS FOR DECISION

Section 204 of the Local Government Regulation 2012 states that the Chief Executive Officer must present a Financial Report of its accounts to the Local Government and furthermore that the financial statements must be presented if the local government holds its ordinary meetings monthly or less frequently to each meeting and the Financial Report presented to a meeting must be for the period of the financial year up to a day as near as practicable to the end of the previous month.

CONCLUSION

There being no further business the Mayor declared the Meeting closed at 2:05 pm.

These minutes will be confirmed by Council at the General Meeting held on the Wednesday 22th April 2020.

.....
MAYOR

...../...../.....
DATE