

Agenda

Post-Election Meeting

Thursday, 11 April 2024

commencing at 9:00am

Sunshine Coast City Hall Chamber, 54 First Avenue, Maroochydore



**SPECIAL MEETING
POST-ELECTION MEETING
NOTICE**

8 April 2024

Dear Councillors, Group Executives and relevant staff,

In accordance with Section 254C(2) of the *Local Government Regulation 2012*, I wish to advise that the Post-Election Meeting has been convened for

**11 April 2024
commencing at 9.00am.**

A handwritten signature in black ink, appearing to read "Emma Thomas", with a long horizontal line extending to the right.

Emma Thomas | Chief Executive Officer

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1 DECLARATION OF OPENING

On establishing there is a quorum, the Chair will declare the meeting open.

2 WELCOME AND OPENING**3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE****4 INFORMING OF CONFLICTS OF INTEREST****4.1 PRESCRIBED CONFLICTS OF INTEREST**

Pursuant to section 150EL of the *Local Government Act 2009* (the Act), a Councillor who has a prescribed conflict of interest in an issue to be considered at a meeting of the local government must –

- (a) immediately inform the meeting of the prescribed conflict of interest including the particulars stated in section 150EL(4) of the Act and
- (b) pursuant to section 150EM(2) of the Act must leave the place at which the meeting is being held, including any area set aside for the public, and stay away from the place while the matter is being discussed and voted on.

4.2 DECLARABLE CONFLICTS OF INTEREST

Pursuant to section 150EQ of the *Local Government Act 2009*, a Councillor who has a declarable conflict of interest in a matter to be considered at a meeting of the local government, must stop participating in the meeting and immediately inform the meeting of the declarable conflict of interest including the particulars stated in section 150EQ(4) of the Act.

If the Councillor with a declarable conflict of interest does not voluntarily decide not to participate in the decision, pursuant to section 150ES(3)(a) of the Act the eligible Councillors must, by resolution, decide

- (a) whether the Councillor may participate in the decision despite the Councillors conflict of interest or
- (b) that the Councillor must not participate in the decision and must leave the place at which the meeting is being held, including any area set aside for the public and stay away while the eligible Councillors discuss and vote on the matter.

The Councillor with the declarable conflict of interest must comply with any conditions the eligible Councillors impose per section 150ES(4) and (5) of the Act.

5 PRESENTATIONS / COUNCILLOR REPORTS

6 REPORTS DIRECT TO COUNCIL**6.1 APPOINTMENT OF DEPUTY MAYOR****File No:** Council Meetings**Author:** Group Executive Civic Governance
Civic Governance

PURPOSE

The purpose of this report is to propose that Council consider the nomination of a Councillor for appointment to the position of Deputy Mayor of the Sunshine Coast Regional Council.

EXECUTIVE SUMMARY

Section 175 (2) of the *Local Government Act 2009* (the Act) provides that at its Post-Election Meeting, a council must, by resolution, appoint a Deputy Mayor.

Council must also appoint a Deputy Mayor at the first meeting after the position of Deputy Mayor becomes vacant. The position of Deputy Mayor of Council became vacant on 2 April 2024 - this being the day on which the final poll was declared by the Electoral Commission of Queensland for the election of the Mayor and Councillors of the Sunshine Coast Regional Council.

Section 165 of the Act further provides that 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.

This facilitates an orderly and seamless arrangement for when the Deputy Mayor is required to act in the role of Mayor and as such, does not require a decision of Council or the Mayor for the Deputy Mayor to effectively "step into" the role of Mayor in the circumstances contemplated in the Act.

In conducting its deliberations and making a decision on the appointment of a Deputy Mayor, section 150EF (1) (g) (iii) of the Act provides (inter alia) that the conflict of interests provisions in the Act do not apply in relation to a conflict of interest if the matter is solely, or relates solely to, a Councillor who is a candidate for appointment as Deputy Mayor. What this means is that a Councillor who is nominated for appointment as Deputy Mayor is not required to declare a Prescribed or Declarable Conflict of Interest and may therefore, participate in the deliberation and vote on the recommendation to appoint the Deputy Mayor.

The selection of the nominee for the role of Deputy Mayor is entirely a matter for Councillors to determine.

OFFICER RECOMMENDATION

That Council resolve under section 175 (2) of the *Local Government Act 2009* to appoint a Councillor as Deputy Mayor of the Sunshine Coast Regional Council.

6.2 POST-ELECTION MEETING MATTERS

File No: Council Meetings
Author: Manager Governance and Executive Services
Civic Governance

PURPOSE

The purpose of this report is for Council to consider:

- the date and times for holding future Council meetings and
- its nominations for appointment to the Sunshine Coast Local Disaster Management Group.

EXECUTIVE SUMMARY

This report deals with the proposed schedule for the statutory meetings of Council and addresses the membership requirements of the Sunshine Coast Local Disaster Management Group.

Section 256 (1) of the *Local Government Regulation 2012* (the Regulation) provides that at its post-election meeting, a local government must consider the day and times of future meetings. Under section 257 of the Regulation, Council statutory meetings are to be held at least once in each month at one of Council's public offices.

It is proposed that Council's Ordinary Meetings be held once in each month commencing on and from Wednesday 24 April 2024 at 9:00 am and continuing thereafter ideally on a day in the last 2 weeks of each month (excluding December, where the meeting is proposed to be held a week earlier). All meetings will continue to be livestreamed via Council's website and open to public attendance. The location for these meetings is proposed to be the Sunshine Coast Council City Hall in Maroochydore.

Section 10 of the *Disaster Management Regulation 2014* provides that the chairperson and deputy chairperson of a local disaster management group (LDMG) are to be the persons appointed by the relevant local government. In addition, the chairperson must be a Councillor of the local government.

The positions of Chairperson and Deputy Chairperson of the Sunshine Coast LDMG were held by the former Mayor and the former Deputy Mayor of the Sunshine Coast Council. These positions on the LDMG have been vacant since 2 April 2024 - this being the day on which the final poll was declared by the Electoral Commission of Queensland for the election of the Mayor and Councillors of the Sunshine Coast Regional Council.

Council is therefore, requested to consider making appointments to the roles of Chairperson and Deputy Chairperson of the Sunshine Coast LDMG, to provide continuity to Council's leadership and oversight of the region's local disaster management arrangements.

OFFICER RECOMMENDATION**That Council:**

- (a) receive and note the report titled “Post-Election Meeting Matters”
- (b) approve that the first Ordinary Meeting of the 2024 – 2028 Sunshine Coast Regional Council be held at 9:00am on Wednesday, 24 April 2024, with subsequent Ordinary Meetings to be held at least once in each month thereafter and
- (c) approve under section 10 of the *Disaster Management Regulation 2014*, the appointment of Mayor Rosanna Natoli as a member and Chair and a second Councillor as a member and Deputy Chair of the Sunshine Coast Local Disaster Management Group.

FINANCE AND RESOURCING

The costs associated with Council’s statutory meeting process are covered within the Civic Governance Meeting Management core operational budget. The costs associated with Council’s support for the Local Disaster Management Group are covered within the Built Infrastructure Group core operational budget.

CORPORATE PLAN

Corporate Plan Goal: *Our outstanding organisation*
Outcome: We serve our community by providing this great service
Operational Activity: S30 - Governance – providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

CONSULTATION**Councillor Consultation**

All Councillors have been informed of the proposals in this report.

Internal Consultation

Consultation for this report has occurred with the Chief Executive Officer and the Executive Leadership Team.

External Consultation

There was no external consultation required for the preparation of this report as the matters herein relate to the operations of Council and its stewardship of the Local Disaster Management Group.

Community Engagement

There was no community engagement required in relation to the recommendations proposed in this report.

PROPOSAL

Section 256 (1) of the Regulation requires that at its Post-Election Meeting, Council consider and determine the day and time for holding its statutory (ie. Ordinary) meetings. In this context, section 257 (1) of the Regulation requires that Council must meet at least once in each month.

The meeting schedule seeks to provide a generally consistent lead time for each meeting date and sufficient time for officers to produce reports between meetings. The meeting schedule also seeks to balance statutory meeting obligations with the other commitments of Councillors.

In accordance with the *Disaster Management Act 2003* and the *Disaster Management Regulation 2014*, Council has prepared a Local Disaster Management Plan which considers the four phases of prevention, preparedness, response and recovery to assist the community mitigate the potential adverse effects of a disaster event.

Council plays a critical leadership role in the coordination of the local disaster management arrangements. This is a core responsibility of Council and is consistent with its stewardship of the wellbeing of the region and its residents in the event of a disaster event.

Legal

- Section 256 (1) of the *Local Government Regulation 2012* requires that the local government must consider the days and times for holding other meetings at the post-election meeting.
- Section 257 of the *Local Government Regulation 2012* requires that the local government must meet at least once in each month, with those meetings to be held at its public offices. However, a local government may, by resolution, fix another place for a particular meeting.
- The *Disaster Management Act 2003* and the *Disaster Management Regulation 2014* require that Council establish a local disaster management group, develop a local disaster management plan and that Council appoint the Chairperson and Deputy Chairperson of the Sunshine Coast LDMG. Section 10 (2) of the *Disaster Management Regulation 2014* provides the Chairperson of the LDMG must be a Councillor of the relevant local government.

Policy

There are no specific policy implications related to this report.

Risk

Council is required to meet its statutory obligations in relation to the holding of the post-election meeting, and consideration of the days and times for holding the meetings of the local government and appoint the Chairperson and Deputy Chairperson of the LDMG.

It is prudent for Council to consider and make the necessary appointments to the Local Disaster Management Committee as early as possible, to ensure continuity of leadership of this group should a disaster event occur.

Previous Council Resolution**Council Resolution (SM20/5) Post Election Meeting 23 April 2020**

That Council:

- (a) receive and note the report titled “**Council Meetings - Post-election Meeting Matters**”*
- (b) conduct the first Ordinary Meeting of the 2020 – 2024 Council at 9:00am, Thursday 30 April 2020 with subsequent Ordinary Meetings of Council to be held once a month*
- (c) appoint Mayor, Councillor Mark Jamieson as a continuing member and Chair and the Deputy Mayor as the Deputy Chair of the Sunshine Coast Local Disaster Management Group and*
- (d) appoint two additional Councillors as members of the Sunshine Coast Regional Council Audit Committee at a future Ordinary Meeting.*

Related Documentation

There is no additional documentation relevant to this report.

Critical Dates

Section 175 of the Act requires that a Post-Election Meeting is held within 14 days after the conclusion of each quadrennial election. Noting that the 2024 Sunshine Coast election was concluded on 2 April 2024, it is necessary for the Post-Election Meeting to be held and consequently, the matters contained in this report considered, prior to 16 April 2024.

Implementation

Subject to Council’s decision on the recommendations in this report, the Chief Executive Officer will:

- ensure the corporate meetings calendar is updated and meeting dates are published on Council’s website and
- notify all member agencies involved in the LDMG of the appointments made by Council to that Committee.

7 NEXT MEETING

The next Ordinary Meeting will be held on 24 April 2024 in the Sunshine Coast City Hall Chamber, 54 First Avenue, Maroochydore.

8 MEETING CLOSURE