



CARPENTARIA SHIRE

Outback by the Sea

***POST ELECTION
COUNCIL MEETING***

MINUTES

15 APRIL, 2020

CONFIRMED MINUTES

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING OF MEETING	5503
2	RECORD OF ATTENDANCE.....	5503
3	REPORTS FROM THE CHIEF EXECUTIVE OFFICER.....	5505
3.1	Returning Officer's Report.....	5505
3.2	Election of Deputy Mayor.....	5506
3.3	Meeting Dates	5506
3.4	Appointment of Local Disaster Management Committee Chair and Deputy Chair	5507
4	CLOSURE OF MEETING	5508

CONFIRMED MINUTES

1	OPENING OF MEETING
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The Mayor welcomed members and declared the meeting open at **9:00am**.

2	RECORD OF ATTENDANCE
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Councillors

Cr LV Bawden	Mayor
Cr JC Young	Deputy Mayor
Cr AT Gallagher	
Cr AJ Scott	
Cr BJ Hawkins	
Cr AM Murphy	
Cr PF Wells	

Staff

Mr Mark Crawley	Chief Executive Officer
Ms Angeline Pascoe	Executive Assistant
Mrs Jessica Hancock	Media Grants & Communications Officer

DECLARATION OF OFFICE:

SWEARING IN

Section 169 of *the Local Government Act 2009*, requires that a person elected as a Councillor must not act in the office until the Councillor makes a declaration of office.

The abovementioned declaration is set out below (pursuant to section 50 of the *Local Government(Operation) Regulation 2010*).

"I ..., having been elected as a Councillor of the Carpentaria Shire Council, declare that I will faithfully and impartially fulfil the duties of the office, in accordance with the local government principles and code of conduct under the Local Government Act 2009, to the best of my judgement and ability."

The "local government principles" referred to in the declaration are set out in section 4(2) of the *Local Government Act 2009*. The principles are:

- (a) Transparent and effective processes, and decision making in the public interest; and
- (b) Sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) Democratic representation, social inclusion and meaningful community engagement, and
- (d) Good governance of, and by, the local government; and
- (e) Ethical and legal behaviour of Councillors and local government employees.

CONFIRMED MINUTES

RESPONSIBILITIES OF COUNCILLORS

Section 12 of the *Local Government Act 2009*, sets out the responsibilities of Councillors and the Mayor. These responsibilities are set out below:

- (1) A Councillor must represent the current and future interests of the residents of the local government area.
- (2) All Councillors of a local government have the same responsibilities, but the Mayor has some extra responsibilities.
- (3) All Councillors have the following responsibilities –
 - (a) Ensuring the local government –
 - (i) Discharges its responsibilities under this Act; and
 - (ii) Achieves its corporate and community plans; and
 - (iii) Complies with all laws that apply to local governments;
 - (b) Providing high quality leadership to the local government and the community;
 - (c) Participating in council meetings, policy development, and decision making for the benefit of the local government area;
 - (d) Being accountable to the community for the local government's performance.
- (4) The Mayor has the following extra responsibilities -
 - (a) Leading and managing meetings of the local government at which the Mayor is the chairperson, including managing the conduct of the participants at the meetings;
 - (b) Proposing the adoption of the local government's budget;
 - (c) Liaising with the Chief Executive Officer on behalf of the other councillors;
 - (d) Leading, managing, and providing strategic direction to, the Chief Executive Officer in order to achieve the high quality administration of the local government;
 - (e) Directing the Chief Executive Officer, in accordance with the local government's policies;
 - (f) Conducting a performance appraisal of the Chief Executive Officer, at least annually, in the way that is decided by the local government (including as a member of a committee, for example);
 - (g) Ensuring that the local government promptly provides the Minister with the information about the local government area, or the local government, that is requested by the Minister;
 - (h) Being a member of each standing committee of the local government;

CONFIRMED MINUTES

- (i) Representing the local government at ceremonial or civic functions.
- (5) A Councillor who is not the Mayor may perform the Mayor's extra responsibilities only if the Mayor delegates the responsibility to the Councillor.
- (6) When performing a responsibility, a Councillor must serve the overall public interest of the whole local government area.

ATTENDANCE:

The Media Grants & Communications officer left the meeting room at 9:26am.

3 REPORTS FROM THE CHIEF EXECUTIVE OFFICER

3.1 RETURNING OFFICER'S REPORT

Executive Summary:

The *Local Government Act 2009* states that a Councillor's term starts on the day after the conclusion of the election.

The "conclusion of the election" is defined in the *Local Government Act* as being when the last declaration of the poll is displayed by the returning officer.

Declaration of Poll

<u>Mayor</u>	<u>Votes</u>	<u>%</u>
BAWDEN Lyall (Jack)	533	70.78

<u>Councillor</u>	<u>Votes</u>	<u>%</u>
YOUNG James (Craig)	467	10.53
GALLAGHER Ashley	457	10.31
HAWKINS Bradley	452	10.19
SCOTT Amanda	430	9.70
WELLS Peter	415	9.36
MURPHY Andrew	387	8.73

Moved Cr Wells

Seconded Cr Murphy

That Council notes and receives the Returning Officer's declaration of the poll.

CARRIED 7/0

Resolution No. 0420/001

CONFIRMED MINUTES

3.2 ELECTION OF DEPUTY MAYOR

Executive Summary:

Section 175(2) of the *Local Government Act 2009* requires that a local government must appoint a Deputy Mayor from its Councillors by resolution at the post-election meeting.

The *Local Government Act* does not prescribe how this appointment is to take place. In the absence of statutory guidance, it must be assumed that the Act's standard provisions requiring decisions to be made by majority in open voting are to apply.

Cr Murphy nominated Cr Hawkins.

There were no other nominations.

Moved Cr Young

Seconded Cr Gallagher

That Council appoint Cr Bradley Hawkins to the position of Deputy Mayor.

CARRIED 7/0

Resolution No. 0420/002

3.3 MEETING DATES

Executive Summary:

The *Local Government Act 2009* requires a Shire council to meet at least once a month. The proposed meeting dates for 2020 are presented for Council's consideration and adoption.

Carpentaria Shire Council meetings are traditionally held on the third Wednesday and following Thursday (if required) of each month. The scheduled Thursday meeting date is often utilised for Councillor workshops if not required for formal meetings. The third Wednesday and Thursday dates have been recommended for the 2020 year with the exception of the December meeting which has been brought forward due to the Christmas close down period and to allow any follow up items after the meeting to be actioned prior to the close down period.

2020 dates adopted by the former Council are attached.

Moved Cr Gallagher

Seconded Cr Young

That Council reaffirms the previously adopted schedule of meeting dates for 2020 as attached:

<i>Month</i>	<i>Agenda Due</i>	<i>Meeting Date</i>	<i>Meeting Type</i>
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CONFIRMED MINUTES

January	7	15 16	Ordinary Meeting Ordinary Meeting
February	18	26 27	Ordinary Meeting Ordinary Meeting
March	10	18 19	Ordinary Meeting Ordinary Meeting
April	7	15 16	Ordinary Meeting Ordinary Meeting
May	12	20 21	Ordinary Meeting - Karumba Ordinary Meeting
June	9	17 18	Ordinary Meeting Ordinary Meeting
July	7	15 16	Ordinary Meeting Budget Meeting
August	11	19 20	Ordinary Meeting Ordinary Meeting
September	8	16 17	Ordinary Meeting Ordinary Meeting
October	13	21 22	Ordinary Meeting - Karumba Ordinary Meeting
November	10	18 19	Ordinary Meeting Ordinary Meeting
December	1	9 10	Ordinary Meeting Note: 1 week earlier due to Christmas

CARRIED 7/0 **Resolution No. 0420/003**

3.4 APPOINTMENT OF LOCAL DISASTER MANAGEMENT COMMITTEE CHAIR AND DEPUTY CHAIR

Executive Summary:

The Chairperson and Deputy Chairperson of the Carpentaria Shire Local Disaster Management Group are provided for under Section 34 of the *Disaster Management Act 2003*. Due to the Novel Coronavirus (COVID-19) it is recommended to appoint the Chairperson and Deputy Chairperson to continue to maintain operations of the Local Disaster Management Group.

Moved Cr Murphy

Seconded Cr Scott

That Council appoint Mayor Lyall (Jack) Bawden as the Chairperson of the Carpentaria Shire Local Disaster Management Group; and

CONFIRMED MINUTES

That Council appoint Cr. Bradley Hawkins as the Deputy Chairperson of the Carpentaria Shire Local Disaster Management Group.

CARRIED 7/0

Resolution No. 0420/004

4 CLOSURE OF MEETING

The Chair of the meeting, Cr Lyall Bawden, Mayor, declared the meeting closed at 9:40am.

MINUTES CERTIFICATE

These Minutes are Confirmed.



**Councillor LV Bawden
Mayor**

15, 04, 2020

Date