



CARPENTARIA SHIRE

Outback by the Sea

***POST ELECTION
COUNCIL MEETING
MINUTES***

08 APRIL, 2024

CONFIRMED MINUTES

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1 OPENING OF MEETING

The Mayor welcomed members and declared the meeting open at **8:57am**.

2 RECORD OF ATTENDANCE

Councillors

| | |
|---------------|-------|
| Cr LV Bawden | Mayor |
| Cr BJ Hawkins | |
| Cr JE O'Brien | |
| Cr GW Smerdon | |
| Cr CP Schafer | |
| Cr AM Murphy | |
| Cr LJ Henry | |

Staff

| | |
|----------------------|---------------------------------|
| Mr Mark Crawley | Chief Executive Officer |
| Ms Angeline Pascoe | Executive Assistant |
| Ms Jacinda Sceresini | Governance and Projects Officer |

The following officers attended the meeting as indicated in the minutes

| | |
|--------------------|-----------------------------|
| Ms Julianne Meier | Director Corporate Services |
| Mr Michael Wanrooy | Director of Engineering |

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 for councillors 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

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- (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.

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;

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- (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;
 - (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.

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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) | 539 | 64.01 |

| <u>Councillor</u> | <u>Votes</u> | <u>%</u> |
|-------------------|--------------|----------|
| O'BRIEN Johnty | 447 | 9.03 |
| SCHAFER Cherie | 421 | 8.51 |
| HAWKINS Bradley | 421 | 8.51 |
| SMERDON Glenn | 380 | 7.68 |
| MURPHY Andrew | 367 | 7.41 |
| HENRY Leslie | 354 | 7.15 |

Moved Cr Murphy

Seconded Cr Schafer

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

CARRIED 7/0

Resolution No. 0424/001

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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, if more than two nominations are received a ballot will take place facilitated by the Chief Executive Officer.

The Mayor called for nominations for the position of Deputy Mayor and the following nominations were received and decided by show of hands.

Cr Murphy nominated Cr Hawkins 4 votes

Cr O'Brien nominated Cr Schafer 3 votes

Moved Cr Schafer

Seconded Cr Smerdon

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

CARRIED 7/0

Resolution No. 0424/002

ATTENDANCE:

The Director Corporate Services entered the meeting room at 9:02am.

The Director of Engineering entered the meeting room at 9:02am.

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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 2024 are presented for Council's consideration and adoption.

Carpentaria Shire Council meetings are traditionally held on the third Wednesday and 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 2024 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.

2024 dates adopted by the former Council, and amended, are attached.

Moved Cr Henry

Seconded Cr Hawkins

That Council reaffirms the previously adopted schedule of meeting dates for 2024.

| Month | Agenda Due | Meeting Date | Meeting Type |
|-----------|------------|--------------|--|
| January | 9 | 17 18 | Ordinary Meeting Ordinary Meeting |
| February | 13 | 21 22 | Ordinary Meeting Ordinary Meeting |
| March | 5 | 13 14 | Ordinary Meeting Ordinary Meeting |
| April | 9 | 17 18 | Ordinary Meeting - Karumba Ordinary Meeting |
| May | 7 | 15 16 | Ordinary Meeting Ordinary Meeting |
| June | 11 | 19 20 | Ordinary Meeting Ordinary Meeting – Budget Meeting |
| July | 9 | 17 18 | Ordinary Meeting – Karumba Ordinary Meeting |
| August | 13 | 21 22 | Ordinary Meeting Ordinary Meeting |
| September | 10 | 18 19 | Ordinary Meeting Ordinary Meeting |

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|--------------------|----|--------------------------------|--|
| October | 8 | 16 17 | Ordinary Meeting - Karumba Ordinary Meeting |
| November | 12 | 20 21 | Ordinary Meeting Ordinary Meeting |
| December | 3 | 11 12 | Ordinary Meeting Note: 1 week earlier due to Christmas |
| CARRIED 7/0 | | Resolution No. 0424/003 | |

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*.

Moved Cr Murphy

Seconded Cr Smerdon

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

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

CARRIED 7/0

Resolution No. 0424/004

4 CLOSURE OF MEETING

The Chair of the meeting, Cr Lyall Bawden, Mayor, declared the meeting closed at 9:07am.

MINUTES CERTIFICATE

These Minutes are Confirmed.



Councillor LV Bawden
Mayor

08 / 04 / 2024

Date

