



SPECIAL COUNCIL MEETING

AGENDA

**NOTICE IS HEREBY GIVEN that a
Special Meeting of Council will be held
in the Council Chambers, Welcome Road, Karratha,
on Monday, 19 October 2015 at 6.30pm
to consider the following items:**

- **swearing in of newly elected Council Members**
- **the appointment of the Mayor**
- **the appointment of the Deputy Mayor**
- **ballot draw for Members to occupy own seats**

**CHRIS ADAMS
CHIEF EXECUTIVE OFFICER**



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Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee Meeting does so at that persons or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, any statement or intimation of approval made by any member or Officer of the City of Karratha during the course of any meeting is not intended to be and is not taken as notice of approval from the City of Karratha.

The City of Karratha warns that anyone who has any application lodged with the City of Karratha must obtain and should only rely on

WRITTEN CONFIRMATION

of the outcome of the application, and any conditions attaching to the decision made by the City of Karratha in respect of the application.

Signed: 
Chris Adams - Chief Executive Officer

DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) (updated 13 March 2000)

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest** in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the *Local Government Act*; or
 - 6.2 Where the Minister allows the Councillor to participate under s5.69 (3) of the *Local Government Act*, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: *An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.*

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

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AGENDA

1 OFFICIAL OPENING

The Chief Executive Officer as Presiding Officer acknowledges the traditions of the Ngarluma people, on whose land we are gathered here today.

2 RECORD OF ATTENDANCE / APOLOGIES

Councillors:

- Cr Geoff Harris
- Cr Evette Smeathers
- Cr Robin Vandenberg
- Cr Fiona White-Hartig
- Cr Garry Bailey [Cr Elect]
- Cr Margaret Bertling [Cr Elect]
- Cr John Lally [Cr Elect]
- Cr Peter Long [Cr Elect]
- Cr Bart Parsons [Cr Elect]
- Cr Daniel Scott [Cr Elect]

Staff:

Chris Adams	Chief Executive Officer
Phillip Trestrail	Director Corporate Services
Andrew Ward	Director Community Services
David Pentz	Director Development Services
Simon Kot	Director Strategic Projects & Infrastructure
Linda Franssen	Minute Secretary

Apologies: Cr Grant Cucel [Cr Elect]

Absent:

Members of Public:

Members of Media:

3 DECLARATION OF OFFICE

The Chief Executive Officer invites Judith Wright, Justice of Peace to conduct the swearing in ceremony for the newly elected Councillors.

Councillors Elect to be individually sworn in to the position of Councillor.

4 ELECTION OF MAYOR

The Presiding Officer calls for nominations for the Mayor.

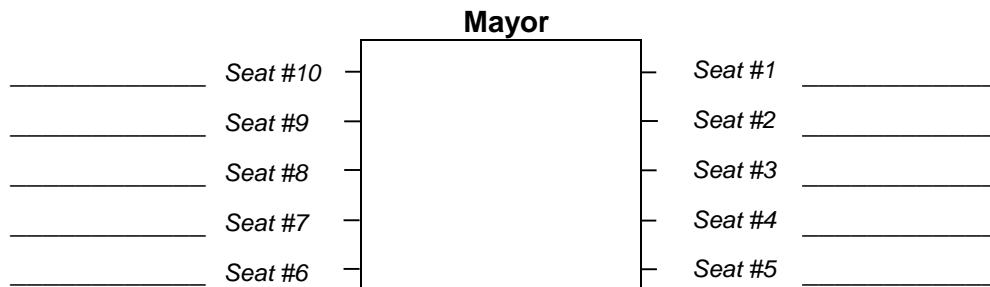
The Mayor now assumes the role of Presiding Officer.

5 ELECTION OF DEPUTY MAYOR

The Mayor calls for nominations for the Deputy Mayor.

6 BALLOT DRAW FOR MEMBERS TO OCCUPY OWN SEATS

In accordance with Standing Order, 8.2 Members to occupy own seats, Councillor names will be placed individually into ten “opaque balls” and placed into a ballot box. The Chief Executive will draw at random, a position at the Council table to each Councillor and the Councillor will occupy that position when present at meetings until such time as there is a call by a majority of Councillors for a re-allotment of positions.



7 PUBLIC QUESTION TIME

8 CLOSURE & DATE OF NEXT MEETING

The meeting closed at _____.

The date of the next meeting is to be held on Monday, 26 October 2015 at 6:30pm at Council Chambers - Welcome Road, Karratha.