



SPECIAL COUNCIL MEETING

MINUTES

**The Special Meeting of Council was held
in the Council Chambers, Welcome Road, Karratha,
on Monday, 19 October 2015
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**

A handwritten signature in black ink, appearing to read 'Chris Adams', is positioned above a horizontal line.

**CHRIS ADAMS
CHIEF EXECUTIVE OFFICER**



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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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MINUTES

1 OFFICIAL OPENING

The Special Meeting of Council held in the Council Chambers, Welcome Road, Karratha on Monday, 19 October 2015 was declared open at 6.30 pm. The Chief Executive Officer as the Presiding Officer acknowledged 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:	Nil	
Members of Public:	Esther Anderson	Kate Bach
	Jessica Buckley	Geraldine Burgess
	Adrian D’Cunha	Mark Davis
	Edgar Hartig	Michelle Heymans
	Yohanna Kelly	Vicki Long
	Carrie McDowell	Erin McKay
	Pablo Newton Farley	Stuart Otto
	Murray Parsons	Julie Pope
	Grant Reilly	Shelley Riley
	Kresta Scott	Steve Wachter
	Judith Wright JP	
Members of Media:	Peter De Kruijff, Pilbara News	

3 DECLARATION OF OFFICE

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

Councillors-Elect Garry Bailey, Margaret Bertling, John Lally, Peter Long, Bart Parsons and Daniel Scott were individually sworn in to the position of Councillor.

4 ELECTION OF MAYOR

The Presiding Officer called for nominations for the position of Mayor.

There were two nominations received, Cr Peter Long and Cr Fiona White-Hartig. No further nominations were received.

Each candidate voluntarily elected to make a brief statement in support of their nomination.

A secret ballot was conducted and counted. The vote resulted in favour of Cr Long 7-3. Cr Long was declared Mayor for a term of two years.

Cr Long was sworn in by Judith Wright JP to the position of Mayor at 6.45 pm.

Cr Long assumed the position of Presiding Officer for the remainder of the Special Council Meeting.

5 ELECTION OF DEPUTY MAYOR

Cr Long called for nominations for the position of Deputy Mayor.

There were two nominations received, Cr John Lally and Cr Fiona White-Hartig. No further nominations were received.

Cr Lally elected to make a brief statement in support of his nomination.

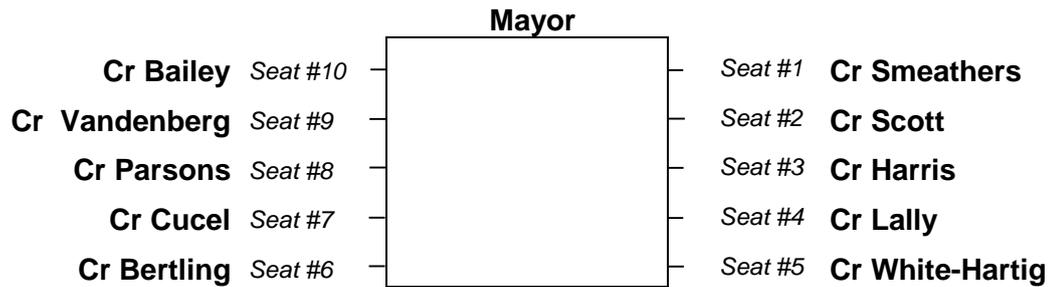
A secret ballot was conducted and counted. The vote resulted in favour of Cr Lally 6-4. Cr Lally was declared Deputy Mayor for a term of two years.

Cr Lally was sworn in by Judith Wright JP to the position of Deputy Mayor at 6.52 pm.

6 **BALLOT DRAW FOR MEMBERS TO OCCUPY OWN SEATS**

In accordance with Standing Order, 8.2 Members to occupy own seats, Councillor names were placed individually into ten “opaque balls” and placed into a ballot box. The Chief Executive drew 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.

Results of seating ballot:



7 **PUBLIC QUESTION TIME**

Nil

8 **CLOSURE & DATE OF NEXT MEETING**

In closing the Mayor made a statement on Council Principles and acknowledged the contribution of former Councillors David (Harry) Hipworth, Janine Miller and Michael Saylor who will be formally recognised for their contribution to the community at the October 2015 Ordinary Council Meeting.

The meeting closed at 7.10 pm.

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

I, Cr Peter Long, Mayor of the City of Karratha, hereby declare on behalf of the Councillors of the City of Karratha that the enclosed Minutes are a true and accurate record of the Special Council Meeting held on Monday, 19 October 2015.

..... Date _____/_____/_____

Signed