



SPECIAL COUNCIL MEETING

MINUTES

**Special Meeting of Council was held
in the Council Chambers, Welcome Road, Karratha,
on Monday, 23 October 2023 at 5.00pm
to consider the following items:**

- Appointment of the Mayor
- Declaration by Elected Members of Council
- Ballot draw for Members to occupy own seats



**VIRGINIA MILTRUP
CHIEF EXECUTIVE OFFICER**



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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: Virginia Miltrup
Virginia Miltrup - 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 MINUTES 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 MINUTES, 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, 23 October 2023 was declared open at 5.03pm. Virginia Miltrup, Chief Executive Officer as Presiding Officer acknowledged the traditions of the Ngarluma people, on whose land we are gathered here today and introduced Josie Samson, Ngarluma leader.

Josie Samson provided a welcome to Ngarluma country and encouraged everyone to work together in a spirit of positivity and reconciliation.

Virginia Miltrup advised that the evening's proceedings would be conducted in two parts, firstly, the Declaration by the newly elected Mayor and Councillors, and secondly, the determining of Councillor seating allocations.

Virginia Miltrup acknowledged outgoing Councillors Peter Long, Margaret Bertling, Geoff Harris and Garry Bailey for their commitment and dedication to Council.

2 RECORD OF ATTENDANCE / APOLOGIES

Councillors:

- Cr Daniel Scott (Mayor)
- Cr Kelly Nunn
- Cr Gillian Furlong
- Cr Daiva Gillam
- Cr Pablo Miller
- Cr Travis McNaught
- Cr Joanne Waterstrom Muller
- Cr Brenton Johannsen
- Cr Anthony Simpson

Staff:

Virginia Miltrup	Chief Executive Officer
Alistair Pinto	Director Corporate & Commercial
Emma Landers	Director Community Experience
Simon Kot	Director Strategic Projects & Infrastructure
Jodie Swaffer	Minute Secretary

Apologies:

Lee Reddell	Director Development Services
Sarah Roots	Councillor Designate

Ngarluma Leader: Josie Samson

Outgoing Councillors: Peter Long and Margaret Bertling

Members of Public: There were approximately 11 members of the public in the gallery.

Members of Media: Daniel Spence, Pilbara News

3 DECLARATION OF OFFICE CEREMONY

The Presiding Member welcomed Anthony Anderson, Justice of Peace to conduct the swearing in ceremony for the newly elected Mayor and Councillors.

Cr Scott was sworn in as Mayor for a term of four years by Anthony Anderson, Justice of the Peace (JP) at 5.08pm.

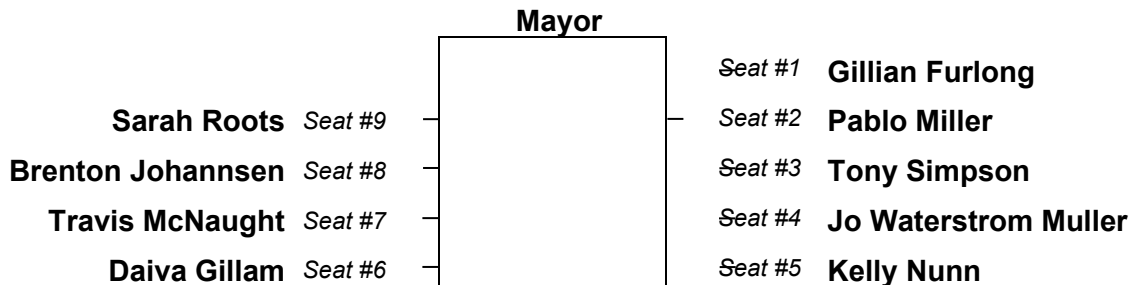
Cr Scott assumed the position of Presiding Officer for the remainder of the Special Council Meeting.

Cr Brenton Johannsen and Cr Anthony Simpson were both sworn into the position of Councillor for a term of four years by Anthony Anderson, JP at 5.10pm.

It was noted that Sarah Roots, Councillor Designate, will be sworn into the position of Councillor for a term of four years at the Ordinary Council Meeting being held on Monday 30 October 2023.

4 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 inside 10 blue 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.



5 PUBLIC QUESTION TIME

No questions.

6 CLOSURE & DATE OF NEXT MEETING

The meeting was closed at 5.15pm.

The date of the next meeting is to be held on Monday, 30 October 2023 at 6:00pm at Council Chambers - Welcome Road, Karratha.

I, Cr Daniel Scott, 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, 23 October 2023.

..... Date ____/____/____