



**SHIRE OF EAST PILBARA**

# **MINUTES**

## **GENERAL ELECTORS' MEETING**

**NOTICE IS HEREBY GIVEN** that the 2022/2023 General Meeting of Electors will be held in the Council Chambers, Newman to precede the Ordinary Council Meeting at 10.30am, Friday 26 April 2024.

**Steven Harding**  
**CHIEF EXECUTIVE OFFICER**

**Unconfirmed copy of General Electors Minutes from the General Electors Meeting held on 26 April 2024 subject to confirmation at the 2023/24 General Electors Meeting.**

## OUR VISION

A cohesive community providing an economic hub for the region linked by vibrant local centres and shared spaces – a place to live and call home

Our towns have survived fluctuations of fortune for more than a century.

Resourcefulness and resilience, along with planning, will hold them in good stead throughout the 21st century. The energy of our people will ensure that the heart of the Pilbara will beat on, and will beat strong.

The Shire of East Pilbara is not just about resources - it's also about resourcefulness.

From our Indigenous people to early pastoralists and miners, and through to the present day, people have shown their capacity to not only survive but thrive in the heart of the Pilbara.

## DISCLAIMER

*No responsibility whatsoever is implied or accepted by the Shire of East Pilbara for any act, omission or statement or intimation occurring during Council or Committee Meetings. The Shire of East Pilbara disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.*

*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 person's or legal entity's own risk.*

*In particular and without derogating any planning application or application of a licence, any statement or intimation of approval made by any member or Officer of the Shire of East Pilbara during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of East Pilbara.*

*The Shire of East Pilbara advises that anyone who has any application lodged with the Shire must obtain and should only rely upon: **WRITTEN CONFIRMATION** of the outcome of the application and any conditions pertaining to the decision made by the Shire of East Pilbara in respect of the application.*

*Please be advised this Agenda may include the names of people who are deceased.*



**Steven Harding**  
**CHIEF EXECUTIVE OFFICER**

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## GENERAL ELECTORS' MEETING

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## **GENERAL ELECTORS' MEETING PROCEDURES**

The following provides an overview of the legislative provisions governing the format and procedure for the General Meeting of Electors.

### ***Prepare Annual Report***

The *Local Government Act 1995* ("the Act") requires that the Local Government is to prepare an Annual Report (section 5.53), accept the Annual Report (section 5.54), advertise its availability to the public (section 5.55) and hold an Annual Meeting of Electors within 56 days of accepting the Annual Report (section 5.27).

### ***Matters for discussion at the General Meeting of Electors***

In accordance with section 5.27(3) of the Act and regulation 15 of the *Local Government (Administration) Regulations 1996* ("the Regulations") the matters to be discussed at the General Meeting of Electors are firstly the contents of the Annual Report for the previous financial year and then any other general business.

### ***President to preside at the General Meeting of Electors***

Section 5.30 of the Act stipulates that the President (or if not available, the Deputy President) is to preside at an Electors Meeting.

### ***Voting at the General Meeting of Electors***

Regulation 17 of the Regulations outlines the voting provisions at an Electors Meeting as follows:

1. *Each elector at the meeting is entitled to one vote on each matter to be decided, but does not have to vote;*
2. *All decisions are to be made by a simple majority vote; and*
3. *Voting is to be conducted so that no voter's vote is secret.*

### ***Procedure at the General Meeting of Electors***

Regulation 18 of the Regulations states that the procedure at a General Meeting of Electors is to be determined by the person presiding (President or Deputy President) at the meeting.

### ***Decisions made at a Meeting of Electors***

In accordance with section 5.33 of the Act, all decisions made at a Meeting of Electors are to be considered at the next Ordinary Meeting of Council or, if that is not practicable:

1. *At the first Ordinary Meeting of Council after that meeting; or*
2. *At a Special Meeting called for that purpose.*

If, at a Meeting of the Council, a Local Government makes a decision in response to a decision made at a Meeting of Electors, the reasons for the decision are to be recorded in the Minutes of the Council Meeting.

***Definition of Elector***

An Elector is defined under the Act as a person who is eligible to vote in an election of the Shire of East Pilbara.

***Speaking at Electors Meetings***

When addressing the Meeting, electors are asked to step up to the lectern and state their name and address for minute taking purposes. Electors will also be asked to complete the public participation form and return it to the Shire's governance staff.

## **1 DECLARATION OF OPENING**

The Shire President declared the Shire of East Pilbara **General Electors Meeting of 26 April 2024**, held in the Newman Council Chambers, Newman open at 10.30am.

The meeting commenced with the acknowledgement of the Traditional Owners of the land on which we meet, the Nyiyaparli People, and their continuing connection to the land, waters and community. The Martu People as the Custodians of Jigalong which sits in Nyiyaparli Country were also acknowledged.

Respects were paid to all their Elders, past, present and emerging.

All present were requested to turn off and refrain from using their mobile phones for the duration of the meeting. Tablets and laptops are permitted for the purpose of accessing agenda items and notes.

All in attendance were advised that the meeting was being audio recorded, which can be accessed by members of the public and the media, and Council Members and Electors were requested to refrain from making any defamatory statements. All present were also advised that the meeting was being live streamed.

In accordance with section 5.30 of the *Local Government Act 1995*, Anthony Middleton as the Shire President will preside at this Elector Meeting.

This meeting will be conducted in accordance with the *Shire of East Pilbara Meeting Procedures Local Law 2019*.

All Electors are entitled to vote. All votes will be by show of hands and will be recorded in the minutes.

## **2 RECORD OF ATTENDANCE BY ELECTRONIC MEANS**

No requests were received by Council Members to attend the meeting virtually.

## **3 ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE**

### **3.1 ATTENDANCES**

#### Council Members

Anthony Middleton	Shire President
Cr Wendy McWhirter-Brooks	Deputy Shire President / Councillor
Cr Lee Anderson	Councillor
Cr Peta Baer	Councillor
Cr David Kular	Councillor
Cr Annabell Landy	Councillor
Cr Milton Chapman	Councillor

Officers

Steven Harding  
Nicole O'Neill  
Etienne Vorster  
Scott Greensill  
Malcolm Somers  
Joshua Brown  
Sally Fry

Chief Executive Officer  
Director Community Experience  
Director Infrastructure Services  
Acting Director Corporate Services  
Acting Director Regulatory Services  
Manager Governance, Risk and Procurement  
Governance Administration Officer (*MS Teams*)

Electors

Public Gallery

Mr Grant Brooks  
Ms Kyraley Drage  
Ms Lee Hutcheson  
Mr Andrew Tassone  
Mr Steven Tweedie

Virtual Attendance (Electors attending via videolink from Nullagine)

Ms Bridget Schill  
Ms Kerry Robertson

**3.2 APOLOGIES**

Nil

**3.3 LEAVE OF ABSENCE**

Cr David Evrett  
Cr Lou Lockyer

Councillor  
Councillor

**4 DISCLOSURES OF INTEREST**

Cr Peta Baer declared an impartiality interest in a motion being presented by Ms Lee Hutcheson in Item 8 under General Business.

Cr Baer declared she will leave the Chamber and take no part in discussion or deliberation for the motion.

**5 CONFIRMATION OF MINUTES OF PREVIOUS ELECTORS' MEETING**

[General Electors Meeting Minutes\PDF Version\Minutes June 30 2023 pdf](#)

**ELECTORS' MEETING RESOLUTION / OFFICER'S RECOMMENDATION**

**Moved:** Cr Bear

**Seconded:** Cr McWhirter-Brooks

**That the Minutes of the General Electors' Meeting held on 30 June 2023 as published on the Shire's website, be confirmed as a true and correct record of proceedings.**

**CARRIED UNANIMOUSLY  
RECORD OF VOTE 7/0**

**For:** Shire President, Deputy Shire President, Crs Anderson, Kular, Landy, Baer, Chapman

**Against:** Nil

All Electors present concurred with the above resolution.



The Shire of East Pilbara Shire President, Anthony Middleton delivered his report as presented below:

## **6 SHIRE PRESIDENT'S REPORT**

*"I am pleased to present the Shire of East Pilbara 2022/23 Annual Report, the final annual report for the current Council term prior to the October 2023 ordinary local government election.*

*The appearance over the horizon of Cyclone Ilsa in April 2023 served as a reminder as to why the Shire and its communities must be prepared for the emerging consequences of climate change. Mercifully no lives were lost but significant damage was inflicted on communities and the people and businesses they support.*

*Our long-term strategic planning has identified infrastructure and service needs which will help encourage community growth, and our sustainable management of these assets going forward.*

*The 2022/23 Shire of East Pilbara Annual Report details progress against those identified infrastructure and service needs, and the performance of the Shire and its Council against other key measures.*

*The Shire has continued its efforts to seek support from the Federal and State Governments, together with industry partners to help fund and deliver these vital infrastructure and service priorities to facilitate the liveability of our towns and communities and the economic future of our region.*

*The last financial year has been one of considerable opportunity, consolidated efforts to secure funding and policy change from the State and Federal Governments, together with a range of significant challenges.*

*I thank the Chief Executive Officer and his team for their work and commend the 2022/23 Annual Report to the community".*

**7 CONSIDERATION OF THE SHIRE OF EAST PILBARA 2022/23 ANNUAL REPORT**

Council accepted the Annual Report for the 2022/23 financial year at its Ordinary Meeting on 22 March 2024.

In accordance with section 5.27 of the Act and Regulation 15 of the *Local Government (Administration) Regulations 1996*, electors present at the Annual General Meeting of Electors are invited to raise for discussion any matters concerning the content of the Annual Report and Financial Statements.

[Attachments Shire of East Pilbara Annual Report 2022/23.pdf](#)

**ELECTOR MEETING RESOLUTION / OFFICER'S RECOMMENDATION**

**Moved:** Cr Baer

**Seconded:** Cr McWhirter-Brooks

**That the Shire of East Pilbara General Meeting of Electors receive the President's Report and the Annual Report for the 2022/23 Financial Year.**

**CARRIED UNANIMOUSLY  
RECORD OF VOTE 7/0**

**For:** Shire President, Deputy Shire President, Crs Anderson, Kular, Landy, Baer, Chapman

**Against:** Nil

At this point in the meeting Electors present were invited by the Shire President to come forward with any Statements or Questions they may have for the Council in relation to the Annual Report or the Financial Statements.

None were received and all Electors present concurred with above resolution.

**8 GENERAL BUSINESS**

In accordance with Section 5.27 of the *Local Government Act 1995*, and Regulation 15 of the *Local Government (Administration) Regulations 1996*, Electors present at the General Meeting of Electors were invited to raise any items of general business for discussion.

The following were items put forward by present and remotely attending Electors and discussed:

**Ms Bridget Schill, Resident of Nullagine**

Nullagine Swimming Pool

Requested an update for this facility. Advised that information to date had not been forthcoming from the Shire.

Steven Harding, CEO responded that the pool had commenced in construction and that the facility is anticipated at this stage, to be open by the end of current calendar year.

Ms Schill also raised the issue of possible after hour's security risks at the venue.

CEO advised that cameras will be operational 24/7 at the location. However, Electors' concerns were noted and will be addressed as operational regulations for the facility move forward.

Fence Around the Marble Bar Airport

Nullagine Airstrip currently has no fence around it. A previous fence was removed. Livestock wander freely around this area and pose a safety risk

CEO advised that this is the responsibility of the Shire. This issue will be investigated and actioned accordingly.

Road Maintenance

Advised that several roads in the area were in a state of disrepair and required the attention of the Shire.

Etienne Vorster, Director Infrastructure Services advised that further discussion will be entered into to address these issues and provide satisfactory outcomes for residents and the community.

*Both Nullagine Residents attending remotely disconnected from the meeting at 11.00am prior to the vote for the below motion.*

*Cr Peta Baer left the Newman Chamber at 10.48am and was absent for the following discussion and motion presentation.*

*Cr Baer returned to Chamber at 11.02am*

Ms Lee Hutcheson engaged in discussion around community sporting facilities which resulted in the following motion being put forward:

**ELECTORS MOTION**

**Moved:** Lee Hutcheson

**Seconded:** Andrew Tassone

**That Council authorises the Shire to provide support and advice on the development of an application for funding under the Regional Precincts and Partnerships Program for a joint community facility in Newman, to provide space for Newman Scout Group, Newman Girl Guides, Newman Gymnastics Club, Newman Brazilian Jiu Jitsu, and the Box Plus Newman.**

**CARRIED UNANIMOUSLY**

**RECORD OF VOTE 6/0**

(Cr Baer was absent for vote as a result of Disclosure of Interest)

**For:** Shire President, Deputy Shire President, Crs Anderson, Kular, Landy, Chapman

**Against:** Nil

**Mr Andrew Tassone**

Supported the motion put forward by Ms Lee Hutchenson.

**Cr McWhirter-Brooks**

While supportive of the motion suggested an amendment as she was of the opinion that further information was required to deliberate.

The CEO advised that motions put forward by community members and passed at an Elector Meeting will be considered at a subsequent meeting of the Council. A detailed report is then prepared by relevant Shire Officers to present to full Council for discussion and adoption.

**Mr Grant Brooks**

**Airport in Nullagine**

Thanked the Shire for the facility which is a substantial community asset and will be into the future.

Roads

Discussed that securing adequate road funding poses problems for communities nationally. Mr Brooks strongly encouraged the Shire to continue to mount pressure on Federal/State funding providers.

Shire Staff

Commended the Shire on Marble Bar Road/Maintenance Crews who were diligently carrying out works in the area.

**9 CLOSURE**

The Shire President declared the Shire of East Pilbara General Electors Meeting held on 26 April 2024 closed at 11.08am and thanked Councillors, Staff and Electors for their attendance.