

Unconfirmed copy of Minutes of
Meeting held on 24 October 2019
subject to confirmation at meeting to be
held on 25 October 2019



EAST PILBARA SHIRE COUNCIL

MINUTES

SPECIAL COUNCIL MEETING

NOTICE IS HEREBY GIVEN that a
SPECIAL Meeting of the Council was held,
in Council Chambers, Newman,
9:00AM, THURSDAY, 24 OCTOBER 2019.

Jeremy Edwards
CHIEF EXECUTIVE OFFICER



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 warns that anyone who has any application lodged with the Shire of East Pilbara 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 Shire of East Pilbara in respect of the application.

Signed: _____
Jeremy Edwards
Chief Executive Officer

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chief Executive Officer, Mr Jeremy Edwards, declared the meeting open at 9:01am and welcomed those in attendance.

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

Cr Anita Grace	Councillor
Cr Langtree Coppin OAM	Councillor
Cr Gerry Parsons	Councillor
Cr Anthony Middleton	Councillor
Cr Dean Hatwell	Councillor
Cr Carol Williams	Councillor
Cr Lynette Craigie OAM	Councillor
Cr Karen Lockyer	Councillor
Cr Holly Pleming	Councillor
Cr Stacey Smith	Councillor
Cr Adrienne Mortimer	Councillor

Officers

Mr Jeremy Edwards	Chief Executive Officer
Ms Sian Appleton	Executive Manager Corporate Services
Mr Ben Lewis	Executive Manager Commercial Services
Ms Lisa Clack	Executive Manager Customer & Community Services
Mr Raees Rasool	Executive Manager Infrastructure Services
Mrs Kylie Bergmann	Coordinator Governance
Mrs Gabrielle Anderson	Governance Officer

Public Gallery

Paul Foster JP
Sarah Stampfli
Amanda Curby

2.2 APOLOGIES

Councillor Apologies

Officer Apologies

2.3 LEAVE OF ABSENCE

3 SWEARING IN OF COUNCILLORS

In accordance with section 2.29 of the *Local Government Act 1995*, a person elected as a Councillor is to make a declaration in the prescribed form before acting in the Office.

Lynette Suzanne Craigie, having been elected to the office of Councillor for the Shire of East Pilbara, declared that she would duly, faithfully, honestly and with integrity fulfil the duties of the office for the people in the district according to the best of her judgment and ability, and observe the *Local Government (Rules of Conduct) Regulations 2007*.

Karen Louise Lockyer, having been elected to the office of Councillor for the Shire of East Pilbara, declared that she would duly, faithfully, honestly and with integrity fulfil the duties of the office for the people in the district according to the best of her judgment and ability, and observe the *Local Government (Rules of Conduct) Regulations 2007*.

Adrienne Mortimer, having been elected to the office of Councillor for the Shire of East Pilbara, declared that she would duly, faithfully, honestly and with integrity fulfil the duties of the office for the people in the district according to the best of her judgment and ability, and observe the *Local Government (Rules of Conduct) Regulations 2007*.

Holly Fleming, having been elected to the office of Councillor for the Shire of East Pilbara, declared that she would duly, faithfully, honestly and with integrity fulfil the duties of the office for the people in the district according to the best of her judgment and ability, and observe the *Local Government (Rules of Conduct) Regulations 2007*.

Stacey Smith, having been elected to the office of Councillor for the Shire of East Pilbara, declared that she would duly, faithfully, honestly and with integrity fulfil the duties of the office for the people in the district according to the best of her judgment and ability, and observe the *Local Government (Rules of Conduct) Regulations 2007*.

All declarations were made in the presence of Mr Paul Foster, JP.

4 ELECTION OF SHIRE PRESIDENT

Schedule 2.3, Division 1 of the *Local Government Act 1995* requires that an election be conducted for the position of Shire President as the first item of business at the first meeting of Council following an ordinary local government election.

The Chief Executive Officer is to preside at the meeting until the office of Shire President is filled and is to act as Returning Officer for the electoral process.

The election must be conducted by the Chief Executive Officer in accordance with the prescribed procedure.

In essence, the election will be conducted as follows:

1. Nomination forms have been previously provided to all Councillors to assist with the election process and, where possible, should be lodged with the Chief executive Officer prior to the commencement of the meeting. The Chief Executive Officer will, however, announce the closing time for the submission of nominations at the commencement of the meeting and will continue to receive nomination forms up until that time.

2. If a Councillor is nominated by another Councillor, then the Chief Executive officer is not to accept the nomination unless the nominee has confirmed to the Chief Executive Officer, either verbally or in writing, that he or she is willing to be nominated for the office.
 3. If more than one nomination is received, then Councillors will be required to vote on the matter by secret ballot, as if they were electors voting at an election. Positions on the ballot paper will be drawn at the meeting and ballot papers will be compiled and distributed at that time. Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
 4. Once all votes have been cast, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast at an election.
 5. As soon as is practicable after the result of the election is known, the Chief Executive Officer will declare and give notice of the result.
 6. If there is an equality of votes between two or more candidates who are the only candidates in, or remaining in the count, the meeting will be adjourned for a period of five minutes. At the recommencement of the meeting, the voting process will be commenced again.
 7. At this point, any nomination previously submitted may be withdrawn and new nominations will be received by the Chief Executive Officer up to a specified time.
 8. If there is still more than one nomination for the position then Councillors will be required to vote again by secret ballot. New ballot papers will be prepared and distributed at that time and Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
 9. Once all votes have been cast for a second time, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast in an election.
 10. If there is still an equality of votes following the second count, then in accordance with Schedule 4.1 of the *Local Government Act 1995* and Regulation 77A of the *Local Government (Election) Regulations 1997* the Chief Executive Officer will draw lots to determine which candidate is elected.
 11. The result will be declared by the Chief Executive Officer. The successful candidate will be called upon to make their declaration of Office and will then assume the Chair as Presiding Member for the remainder of the meeting.
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The Chief Executive Officer advised that he received two nominations for the positions of President, being for Councillors Langtree Coppin and Lynette Suzanne Craigie. He then called for further nominations.

No further nominations being received, the Chief Executive Officer advised that an election would be conducted for the position of President of the Shire of East Pilbara, in accordance with Schedule 2.3 of the Local Government Act 1995.

All candidates confirmed that they were happy for names to appear on the ballot paper in alphabetical order.

Ballot papers were prepared in accordance with Schedule 10 of the Local Government (Elections) Regulations 1997 and issued to all Councillors. Once all votes had been cast, a count of ballot papers was conducted, with the following results being declared:

1. Cr COPPIN, Lang - 3 votes
2. Cr CRAIGIE, Lynette Suzanne - 8 votes

The Chief Executive Officer accordingly declared Councillor **LYNETTE SUZANNE CRAIGIE** elected to the Office of President for the Shire of East Pilbara for a term of two years, expiring in October 2021.

Councillor Lynette Suzanne Craigie, having been elected to the position of President of the Shire of East Pilbara, made her declaration of office before Mr Paul Foster, JP, and then assumed the Chair at 9:15am.

5 ELECTION OF DEPUTY SHIRE PRESIDENT

Schedule 2.3, Division 1 of the *Local Government Act 1995* requires that an election be conducted for the position of Deputy Shire President as the next item of business after the election of the Shire President at the first meeting of Council following an ordinary local government election.

The Chief Executive Officer is to preside at the meeting until the office of Shire President is filled and is to act as Returning Officer for the electoral process.

The election must be conducted by the Chief Executive Officer in accordance with the prescribed procedure.

In essence, the election will be conducted as follows:

1. Nomination forms have been previously provided to all Councillors to assist with the election process and, where possible, should be lodged with the Chief executive Officer prior to the commencement of the meeting. The Chief Executive Officer will, however, announce the closing time for the submission of nominations at the commencement of the meeting and will continue to receive nomination forms up until that time.
2. If a Councillor is nominated by another Councillor, then the Chief Executive officer is not to accept the nomination unless the nominee has confirmed to the Chief Executive Officer, either verbally or in writing, that he or she is willing to be nominated for the office.
3. If more than one nomination is received, then Councillors will be required to vote on the matter by secret ballot, as if they were electors voting at an election. Positions on the ballot paper will be drawn at the meeting and ballot papers will be compiled and distributed at that time. Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
4. Once all votes have been cast, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast at an election.
5. As soon as is practicable after the result of the election is known, the Chief Executive Officer will declare and give notice of the result.
6. If there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count, the meeting will be adjourned for a period of five minutes. At the recommencement of the meeting, the voting process will be commenced again.
7. At this point, any nomination previously submitted may be withdrawn and new nominations will be received by the Chief Executive Officer up to a specified time.

8. If there is still more than one nomination for the position then Councillors will be required to vote again by secret ballot. New ballot papers will be prepared and distributed at that time and Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
 9. Once all votes have been cast for a second time, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast in an election.
 10. If there is still an equality of votes following the second count, then in accordance with Schedule 4.1 of the *Local Government Act 1995* and Regulation 77A of the *Local Government (Election) Regulations 1997* the Chief Executive Officer will draw lots to determine which candidate is elected.
 11. The result will be declared by the Chief Executive Officer. The successful candidate will be called upon to make their declaration of Office and will then assume the Chair as Presiding Member for the remainder of the meeting.
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The Chief Executive Officer advised that he received two nominations for the positions of Deputy President, being for Councillors Anita Grace and Geraldine Parsons. He then called for further nominations.

No further nominations being received, the Chief Executive Officer advised that an election would be conducted for the position of Deputy President of the Shire of East Pilbara, in accordance with Schedule 2.3 of the Local Government Act 1995.

All candidates confirmed that they were happy for names to appear on the ballot paper in alphabetical order.

Ballot papers were prepared in accordance with Schedule 10 of the Local Government (Elections) Regulations 1997 and issued to all Councillors. Once all votes had been cast, a count of ballot papers was conducted, with the following results being declared:

1. **Cr GRACE, Anita – 5 votes**
2. **Cr PARSONS, Geraldine - 6 votes**

The Chief Executive Officer accordingly declared Councillor GERALDINE PARSONS elected to the Office of Deputy President for the Shire of East Pilbara for a term of two years, expiring in October 2021.

Councillor Geraldine Parsons, having been elected to the position of Deputy President of the Shire of East Pilbara, made her declaration of office before Mr Paul Foster, JP, and then assumed the Chair at 9:20am.

6 ALLOCATION OF COUNCILLOR SEATING

A seating plan of the Council Chambers is provided below. The positions of President, Deputy President, CEO and Executive Managers are already set. The remaining Councillors are requested to indicate their preference for seating positions.

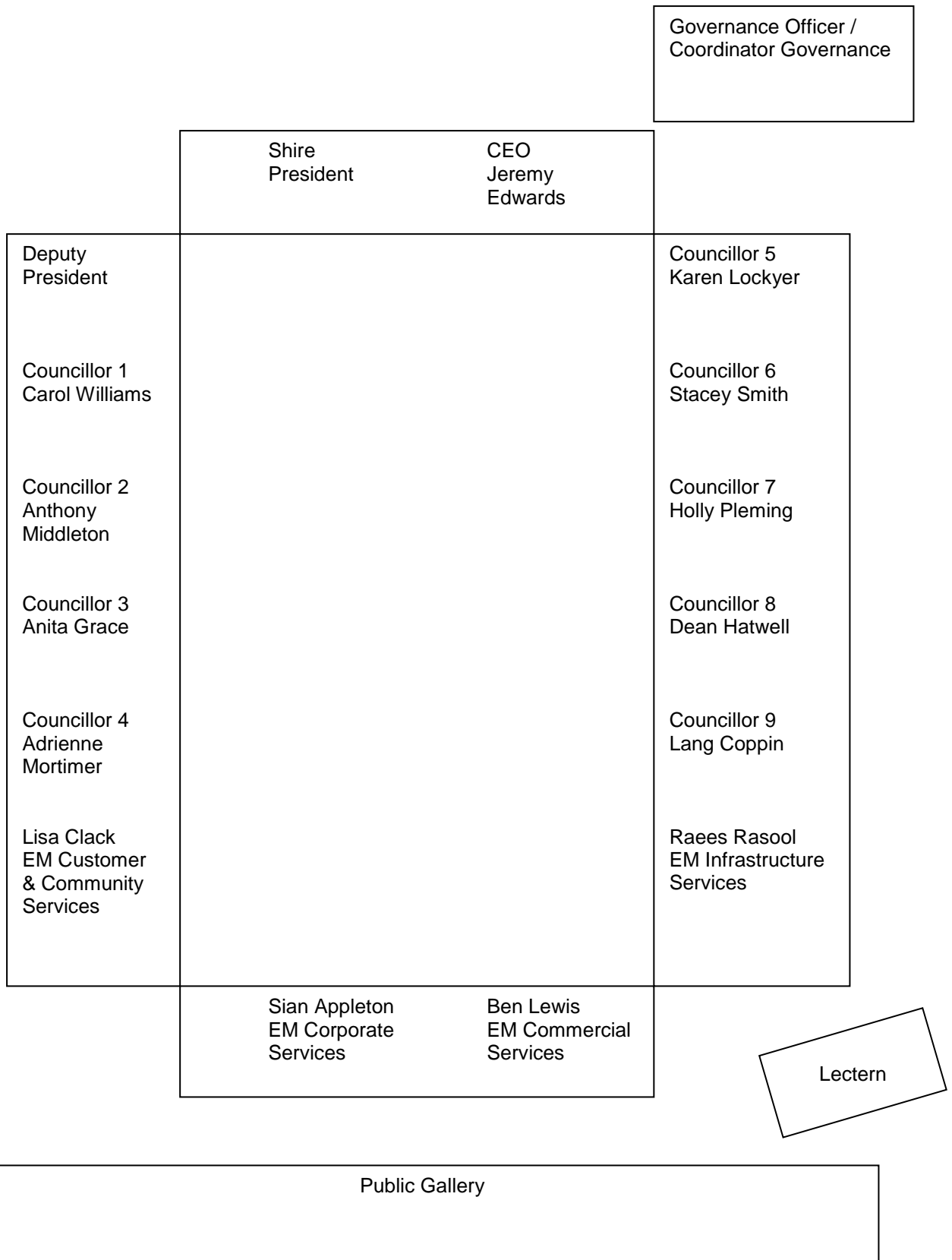
In the event that a consensus cannot be reached, then a draw will be conducted by the Chief Executive Officer to allocate seating in the Council Chambers.

Once seating positions have been determined, Councillors will continue to occupy the same position at all meetings of Council, until such time as there is a call by a majority of the Councillors for a re-allotment of positions, or until the next local government election.

Councillor seat allocation will be as follows, in accordance with the attached seating plan:

Name	Position
Cr Lynette Suzanne Craigie OAM	President
Cr Geraldine Parsons	Deputy President
Cr Carol Williams	Councillor 1
Cr Anthony Middleton	Councillor 2
Cr Anita Grace	Councillor 3
Cr Adrienne Mortimer	Councillor 4
Cr Karen Louise Lockyer	Councillor 5
Cr Stacey Smith	Councillor 6
Cr Holly Pleming	Councillor 7
Cr Dean Hatwell	Councillor 8
Cr Langtree Coppin OAM	Councillor 9

COUNCIL CHAMBERS SEATING PLAN



7 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

8 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

9 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL

10 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

11 DATE OF NEXT MEETING

25 October 2019

12 CLOSURE

9:22am.