

Unconfirmed copy of Minutes of
Meeting held on 22 October 2021
subject to confirmation at meeting to
be held on 19 November 2021



EAST PILBARA SHIRE COUNCIL

MINUTES

SPECIAL COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
SPECIAL Meeting of the Council will be held,
in Council Chambers, Newman,
12: 35PM, FRIDAY, 22 OCTOBER 2021.

Steven Harding
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: _____
Steven Harding
Chief Executive Officer



Shire of **EAST**
Pilbara
THE HEART OF THE PILBARA

11 October 2021

Mr Steven Harding
Chief Executive Officer
Shire of East Pilbara
PMB 22
NEWMAN WA 6753

Dear Mr Harding

NOTICE PURSUANT TO SECTION 5.4(a)(i) – SPECIAL MEETING OF COUNCIL

Pursuant to section 5.4(a)(i) of the *Local Government Act 1995*, I give notice of a Special Meeting of the Council to be convened on Friday, 22 October 2021 to commence at 12.30 pm.

The purpose of the Special Meeting is to consider the following matters:

- Declaration (swearing in) of new Councillors;
- Election of Shire President;
- Election of Deputy Shire President; and
- Confirmation of Councillor Seating Arrangements.

Yours sincerely

Anthony Middleton
Shire President

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chief Executive Officer declared the Special Council Meeting of the Shire of East Pilbara meeting open at 12.35pm.

The Chief Executive Officer acknowledged the Nyamal People, Nyiyaparli and Martu peoples being the traditional custodians of the lands across which the meeting took place, and paid respects to Elders, both past, present and emerging.

2 RECORD OF ATTENDANCES / APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors

Cr Adrienne Mortimer	Councillor
Cr Lou Lockyer	Councillor
Cr Holly Fleming	Councillor
Cr Stacey Smith	Councillor

Councillors Elect

Matthew Anick	Councillor Elect
Peta Baer	Councillor Elect
Lang Coppin OAM	Councillor Elect
Anita Grace	Councillor Elect
Annabell Landy	Councillor Elect
Wendy McWhirter-Brooks	Councillor Elect
Anthony Middleton	Councillor Elect

Officers

Mr Steven Harding	Chief Executive Officer
Ms Emma Landers	Acting Director Community Services
Mr Ian Hamilton	Acting Director Infrastructure Services
Mr Bill Burke	Director Commercial Services
Ms Lisa Davies	A/g Director Corporate and Customer Services
Mr Joshua Brown	Manager Governance and Risk
Ms Sally Fry	Governance Support

Public Gallery

Nil

2.2 APOLOGIES

Councillor Apologies

Nil

Officer Apologies

Mr Steve Leeson	Director Corporate and Customer Services
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2.3 LEAVE OF ABSENCE

Nil

3 SWEARING IN OF COUNCILLORS

In accordance with section 2.29 of the *Local Government Act 1995* and regulations 13 of the *Local Government (Constitution) Regulations 1998*, a person elected as Councillor must make a declaration, in the prescribed form, before acting in the Office and that the declaration is to be made before an authorised person under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

The following people made declarations in accordance with s2.29 before Steven Harding, an authorised person under the *Oaths, Affidavits and Statutory Declarations Act 2005*:

Matthew Anick

Peta Baer

Lang Coppin OAM

Anita Grace

Annabell Landy

Wendy McWhirter-Brooks

Anthony Middleton

The aforementioned took their seats as Councillors.

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 election of Shire President was conducted by the Chief Executive Officer in accordance with the prescribed procedure.

Two written nominations were received, being from **Cr Anthony Middleton and Cr Lou Lockyer**. No further nominations were received.

Each candidate was invited to address the meeting.

An election was then held by secret ballot. The result of the ballot was:

Cr Anthony Middleton received **7 votes**

Cr Lou Lockyer received **4 votes**

Following the ballot, the Chief Executive Officer declared **Cr Anthony Middleton** elected to the office of Shire President until the next Ordinary Local Government election in 2023.

In accordance with section 2.29 of the *Local Government Act 1995* and regulations 13 of the *Local Government (Constitution) Regulations 1998*, a person elected as President must make a declaration, in the prescribed form, before acting in the Office and that the declaration is to be made made before an authorised person under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

Cr Anthony Middleton made his declaration as President in accordance with s2.29 before Steven Harding, an authorised person under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

The Shire President assumed the chair as presiding member.

5 ELECTION OF DEPUTY SHIRE PRESIDENT

Schedule 2.3, Division 2 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 election of Deputy Shire President was conducted by the Shire President Officer in accordance with the prescribed procedure.

Three written nominations were received, being from **Cr Wendy McWhirter-Brooks**, **Cr Lou Lockyer** and **Cr Stacey Smith**. No further nominations were received.

An election was then held by secret ballot. The result of the ballot was:

Cr Wendy McWhirter-Brooks received **7 Votes**

Cr Lou Lockyer received **3 vote**

Cr Stacey Smith received **1 vote**

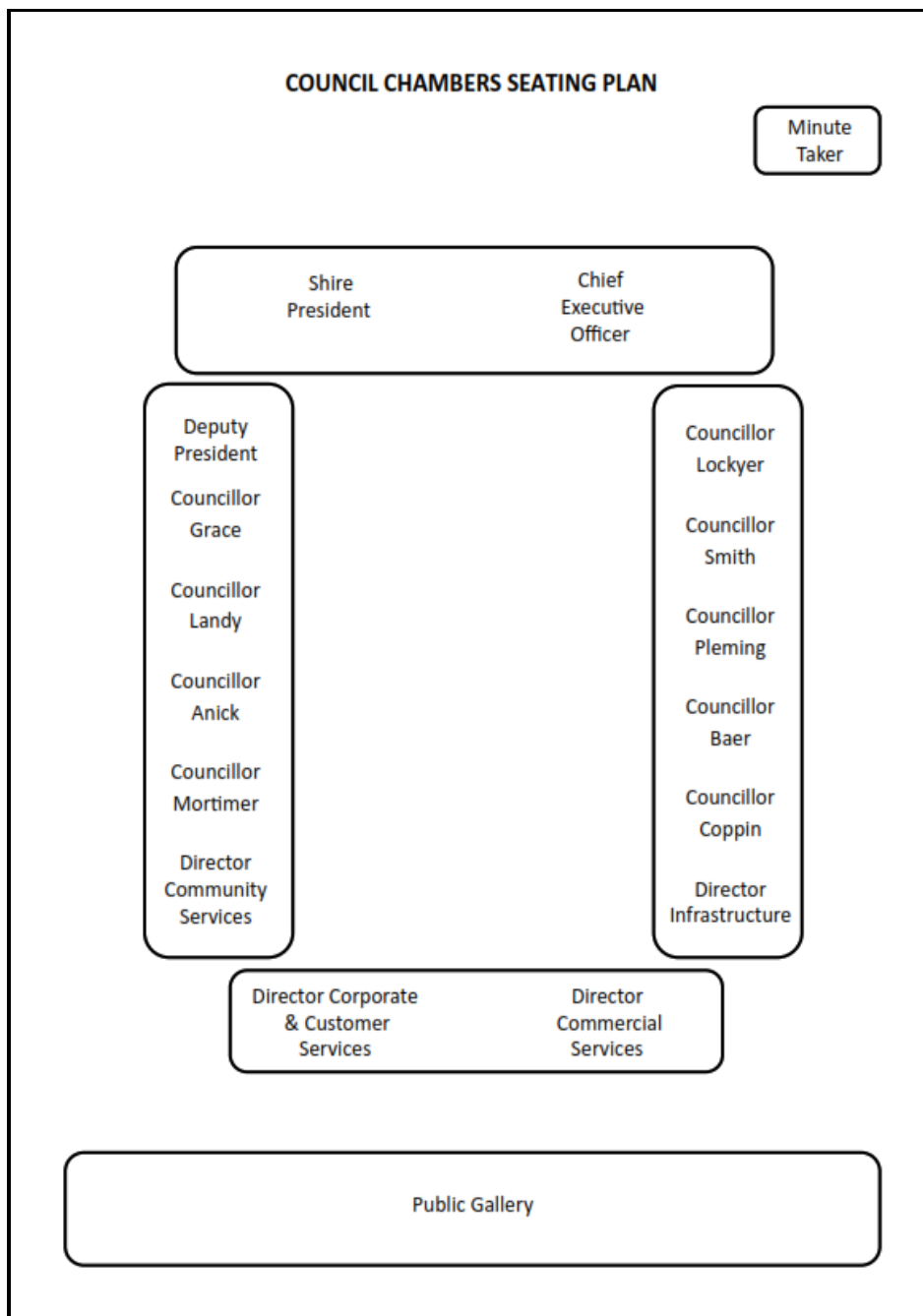
Following the ballot, the Shire President declared **Cr Wendy McWhirter-Brooks** elected to the office of Deputy Shire President until the next Ordinary Local Government election in 2023.

In accordance with section 2.29 of the *Local Government Act 1995* and regulations 13 of the *Local Government (Constitution) Regulations 1998*, a person elected as Deputy President must make a declaration, in the prescribed form, before acting in the Office and that the declaration is to be made made before an authorised person under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

Cr Wendy McWhirter-Brooks made her declaration as Deputy President in accordance with s2.29 before Steven Harding, an authorised person under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

6 ALLOCATION OF COUNCILLOR SEATING

The following seat allocation was confirmed and will remain in place until such time as Council determines otherwise by resolution, or until the next ordinary local government election.



7 CLOSURE

The Shire President declared the Special Council Meeting of the Shire of East Pilbara closed at 1.15pm.