



SHIRE OF WYNDHAM | EAST KIMBERLEY

MINUTES SPECIAL COUNCIL MEETING

22 October 2017

DISCLAIMER

Members of the Public are advised that recommendations to Council contained within this Agenda and decisions arising from the Council meeting can be subject to alteration.

Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

Signed on behalf of Council

A handwritten signature in black ink, appearing to read 'Carl Askew', written in a cursive style.

CARL ASKEW
CHIEF EXECUTIVE OFFICER

NOTES:

1. Councillors wishing to make alternative motions to officer recommendations are requested to provide notice of such motions electronically to the minute taker prior to the Council Meeting.
2. Councillors needing clarification on reports to Council are requested to seek this from relevant Officers prior to the Council meetings.

C O N T E N T S

Item No	Description	Page No
1.	DECLARATIONS OF OPENING / ANNOUNCEMENT OF VISITORS.....	4
2.	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED).....	4
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	5
4.	PUBLIC QUESTION TIME.....	5
5.	APPLICATIONS FOR LEAVE OF ABSENCE	5
6.	PETITIONS.....	5
7.	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION	5
8.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	5
9.	DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / NOTICES OF MOTIONS...	5
10.	REPORTS.....	6
	10.1.1 Declaration by Elected Members of Council	6
	10.1.2 Election of the Shire President	6
	10.1.3 Election of the Deputy Shire President	7
	10.1.4 Elected Member Seating.....	7
11.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	8
12.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	8
13.	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION.....	8
14.	MATTERS BEHIND CLOSED DOORS.....	8
15.	CLOSURE	8

SHIRE OF WYNDHAM EAST KIMBERLEY MINUTES OF THE SPECIAL COUNCIL MEETING KUNUNURRA COUNCIL CHAMBERS

HELD ON SUNDAY, 22 OCTOBER 2017 AT 5:00 PM

1. DECLARATIONS OF OPENING / ANNOUNCEMENT OF VISITORS

Members of the Public are advised that recommendations to Council contained within this Agenda and decisions arising from the Council meeting can be subject to alteration.

Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

An audio and/or video record may be made of these proceedings to assist in the taking of minutes.

The Commissioner declared the meeting open at 5.00pm

Announcement of Visitors

Mr Jeff Gooding JP, CEO Kimberley Development Commission

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Attendance

R Yuryevich	Commissioner
C Askew	Chief Executive Officer
D Klye	Director Infrastructure
J Ninnette	A/Director Community Development
K Williams	Executive Assistant (Minute Taker)
D Menzel	Elected Member
T Chafer	Elected Member
N Brook	Elected Member
J Farquhar	Elected Member
M McKittrick	Elected Member
D Pearce	Elected Member
M Dear	Elected Member
K Poynton	WAEC
P Kruiff	Kimberley Echo
S Sibly	SWEK
S Hawes	SWEK
C Askew	
L Yuryevich	
K Menzel	
S Farquhar	

M Chafer
A Tutt
P Brook
M McConachy
K McConachy
T Hawes-Wright
J McAuliffe
P McAuliffe
D Carter
S Dessert
J Williams

Apologies

G Lodge
A Petherick

Elected Member
Elected Member

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS

Nil

**7. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT
DISCUSSION**

Nil

8. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

**9. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / NOTICES OF
MOTIONS**

Nil

10. REPORTS

10.1.1 Declaration by Elected Members of Council

Newly Elected Members of Council make their declaration before Ron Yuryevich AM RFD Commissioner Shire of Wyndham East Kimberley and Mr Jeff Gooding JP, CEO Kimberley Development Commission.

Elected members made the following declaration by order of highest vote, determining their length of term:

Having been elected to the office of Councillor of the Shire of Wyndham East Kimberley, declare that I take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgment and ability, and will observe the Local Government (Rules of Conduct) Regulations 2007.

1. Anthony Chafer 4 year term
2. David Menzel 4 year term
3. Narelle Brook 4 year term
4. Debra Pearce 4 year term
5. Judith Farquhar 2 year term
6. Matthew Dear 2 year term
7. Michelle McKittrick 2 year term

Local Government Act 1995

2.29. Declaration

(1) A person elected as an elector mayor or president or as a councillor has to make a declaration in the prescribed form before acting in the office.

(2) A person elected by the council as mayor, president, and deputy mayor or deputy president has to make a declaration in the prescribed form before acting in the office.

(3) A declaration required by this section is to be taken or made before a prescribed person.

(4) A person who acts in an office contrary to this section commits an offence.

Penalty: \$5 000 or imprisonment for one year.

10.1.2 Election of the Shire President

The Chief Executive Officer called for nominations for Shire President and declared the close of nominations.

All nominations must be in writing and can be given to the Chief Executive Officer either before the meeting or at this point in the meeting.

The CEO received the nomination of Cr David Menzel, from Cr Judith Farquhar for the position of Shire President which was accepted.

With no further nominations, the CEO declared Cr David Menzel Shire President.

The Commissioner then took his leave and retired to the gallery.

The newly elected Shire President made his declaration before the Commissioner and Mr Jeff Gooding JP, CEO Kimberley Development Commission.

The Shire President will assumed responsibility for presiding over the remainder of the meeting.

The Shire President addressed the new Council:

The Shire President congratulated the new Council, and thanked them for their nomination to Shire President. The Shire president thanked Commissioner Ron Yuryevich for his service for the past 12 months, adding that the new Council hope to carry on the inclusivity, teamwork and success which has been achieved during this time, and thanked the community and the Western Australian Electoral Commission for their support during the election process. The Shire President gave thanks to all those candidates who stood for election, and asked that the community give the new Council time to settle into their new roles, given so many of the Councillors have not had direct experience in local government matters.

Local Government Act 1995 – Schedule 2.3

Election of the Deputy Shire President

The Shire President called for nominations for Deputy Shire President.

The CEO received one nomination of Cr Anthony Chafer, from Cr Narelle Brook for the position of Deputy Shire President which was accepted.

With no further nominations, the Shire President declared Cr Anthony Chafer the Deputy Shire President.

The newly elected Deputy Shire President made his declaration before the Shire President, the Commissioner and Mr Jeff Gooding, CEO Kimberley Development Commission.

Local Government Act 1995 – Schedule 2.3

7. Elected Member Seating

In accordance with the Shire of Wyndham East Kimberley's Meeting Procedures Local Law 2016, *Section 8.1 Members to be in their proper places*

- 1. At the first meeting held after each ordinary Election Day, the CEO is to allot, alphabetically by ward, a position at the Council table to each Member.*
- 2. Each Member is to occupy his or her allotted position at each Council meeting.*

Following the appointment of the Shire President and Deputy Shire president the CEO allotted the seating arrangement in Alphabetical order.

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

13. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

14. MATTERS BEHIND CLOSED DOORS

Nil

15. CLOSURE

The Shire President declared the meeting closed at 5.45pm

The Shire President thanked Mr Gooding and the Commissioner for their time.