



SHIRE OF YORK

Minutes of the Annual General Meeting of Electors
Held in the Lesser Hall, York Town Hall, York on
Thursday, 4th February, 2016 at 6.05pm

OPENING

The Shire President, Cr David Wallace, declared the meeting open at 6.05pm

ATTENDANCE

Cr David Wallace, Shire President; Cr Denese Smythe, Deputy Shire President;
Cr Heather Saint; Cr Pam Heaton; Cr Jane Ferro; Cr Trevor Randell; Cr Tricia Walters

MENTORING/MONITORING PANEL

Ms Jenni Law, Department of Local Government & Communities

STAFF

Mark Dacombe, Acting Chief Executive Officer; Tabitha Bateman, Financial Controller;
Gordon Tester, Manager Development Services; Allan Rourke, Manager Works & Services,
Helen D'Arcy-Walker, Executive Support Officer

APOLOGIES

Nil

NUMBER OF PEOPLE IN ATTENDANCE

There were 7 people in the Gallery at the commencement of the meeting

ANNUAL REPORT FOR THE SHIRE OF YORK FOR THE YEAR ENDED 30TH JUNE 2015

The Shire President presented the following report -

As Shire President I have to present to you the Annual Report for the 2014/15 year.

This was a most difficult year for the Shire and the community of York. For six months of the year the Council was suspended and a Commissioner was responsible for undertaking the functions. The relationship between the Council and the community was fractured and the image of York suffered.

Since taking on the position of President I have worked hard with the new Council to start the process of pulling the community together to focus on the future prosperity of York.

The Annual Report is self-explanatory and I don't intend to address it in any detail.

I would however like to say a few words about financial sustainability. The Annual Financial Report shows that the Shire is in a good financial position. A good way to get an understanding of this is to look at the financial ratios on page 48 of the Annual Financial Report. Five out of seven of the Shire's statutory ratios met the bench mark of the Department of Local Government and Communities and the other two are trending in the right direction. That of course is no cause for complacency and management of our finances will continue to be a key focus of the Council.

Now, the future! Your Council is very much focused on the future. We have spent much of January reviewing policies and planning our major strategic review which is to be completed by 30 June this year. There is a lot of detail in the "Voice of York" pages published this week. In summary we are now very focused on planning for the future. This includes reviewing our strategic community plan, corporate business plan, long term financial plan, asset management plans and work force plans. Later in February and through March there will be opportunities for members of the community to be involved.

If you would like to be involved in this process please register your interest through the Shire Office.

Likewise, if you have any questions related to the Annual report for 2014/15 please contact the Chief Executive Officer.

BUSINESS OF THE MEETING

- **Receive of the Shire of York 2014/15 Annual Report**
- **Receive of the Shire of York Annual Financial Report for the year ended 30 June, 2015**
- **Receive of the Independent Auditor's Report for the year ended 30 June 2015**

Moved: Cr Randell

Seconded: Cr Walters

"That the Shire of York 2014/15 Annual Report, Annual Financial Report and the Independent Auditor's Report for the year ended 30 June 2015 be received."

CARRIED: 7/2

OTHER BUSINESS

Question Taken on Notice at the Special Electors Meeting held on 27 July, 2015

Mr Mike Gill

Question 2:

Why did McDowell Affleck not recognise that York is in a seismic zone, this renders the building unsafe for public use?

Response:

The answer provided to this question when it was submitted was that comment would be sought from McDowell Affleck on this issue. Comment was sought on 10 September 2015 and the representative of McDowall Affleck indicated orally that he had recognised that York is in a seismic zone. He provided further advice by email that McDowall Affleck "do not believe that the building should be used by the public before the repairs noted in the drawings are undertaken."

Questions Received in Writing for this Meeting

Mr Simon Saint

Question:

Can Council confirm that attachments 10(a) and 13-23 inclusive of the FitzGerald Report, referred to in the correspondence dated 22 August 2014 from the Corruption and Crime Commission were provided to the Commission and has DLA Piper been provided with copies of those attachment?

Response:

The Shire President stated that this question requires research that has not been completed, accordingly it is Taken on Notice.

Mr Mike Gill

Question 1:

At the December 2014 OCM I asked Council to confirm that the road reconstruction works currently being undertaken by the Shire of York, and selected subcontractors, are conforming to Austroads Standards.

At the February 2015 OCM Council replied stating that "All road construction works and grant submissions will be constructed using industry best standard and conform to Austroads Guidelines and for MRD roads to Main Roads Standards".

My question is, can Council confirm that the new roads constructed in 2015, Spencers Brook York Rd and Mokine Rd are in fact compliant with the Austroads Standards?

Response:

As noted in responses to Mr Gill's written questions at the 28 January 2016 Ordinary Council Meeting, the Shire road asset management practices are under review as part of the Integrated Planning and Reporting – Major Strategic Review, being initiated at the present time.

Along with a review of the Roads and Bridges Asset Management Plan, the process also addresses current construction and work practices relative to external guidelines and standards. This will include: a review of work practices used generally, testing of work practices used on selected roads including an assessment of the extent to which actual practices have achieved the standards, an assessment of risks (if any) for users and an assessment of impacts on optimising long term asset condition and life. This review will include Spencers Brook York Road and Mokine Road.

Also noted previously, a report on the review outcomes will be provided to Council on 22 March as input into the Major Strategic Review process.

Question 2:

At the February 2015 OCM, prior to sealing the Spencers Brook road, I asked the Shire of York to explain how road shape and geometry conforming to Austroads Standards would be achieved on the current road construction project given that there was no survey control in use.

The Shire deemed my question to be invalid, stating that they were operational matters.

At the March 2015 OCM, following sealing of the new road, I pursued the issue and asked Commissioner Best why the Spencers Brook road had been constructed to a sub standard quality that now represents an ongoing risk to the road user.

The Shire responded stating “the new road had been constructed using best practices, while there are some areas which need remedial work, such as shoulder width and the lack of survey control. Surveys are now implemented on all construction projects.”

Can Council confirm that the remedial works on the Spencers Brook York Road have been completed?

Response:

Yes the remedial works have been completed.

GENERAL BUSINESS

The Shire President asked if there were any further questions from the Gallery.

Mr Mike Gill indicated he wished to ask further questions.

The Shire President requested Mr Gill to email his questions to the Acting CEO as he had already had his two questions.

CLOSURE

There being no further business the Shire President thanked everyone for attending and declared the meeting closed at 6.17pm