



CONFIRMED MINUTES

Special Council Meeting Tuesday, 9 April 2024

Date: Tuesday, 9 April 2024

Time: 4:00pm

Location: Council Chambers, York Town Hall, York

Order Of Business

1	Opening	3
1.1	Declaration of Opening.....	3
1.2	Acknowledgement / Disclaimer	3
1.3	Standing Orders	3
1.4	Announcement of Visitors	3
1.5	Declarations of Interest that Might Cause a Conflict	3
1.6	Declaration of Financial Interests	3
1.7	Disclosure of Interests that May Affect Impartiality	3
2	Attendance	3
2.1	Members	3
2.2	Staff	3
2.3	Apologies	4
2.4	Leave of Absence Previously Approved	4
2.5	Number of People in the Gallery at Commencement of Meeting	4
3	Public Question Time	4
3.1	Written Questions – Current Agenda.....	5
3.2	Public Question Time	5
4	Swearing-in of Councillor-Elect	5
5	Closure	5

**MINUTES OF SHIRE OF YORK
SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, YORK TOWN HALL, YORK
ON TUESDAY, 9 APRIL 2024 AT 4:00PM**

1 OPENING

1.1 Declaration of Opening

Cr Kevin Trent, Shire President, declared the meeting open at 4.00pm.

1.2 Acknowledgement / Disclaimer

The Shire President advised the following:

“The York Shire Council acknowledges the Ballardong people of the Noongar Nation who are the Traditional Owners of this country and recognise their continuing connection to land, water, sky and culture. We pay our respects to all these people and their Elders past, present and emerging.

This meeting is being recorded on a digital audio and visual device to assist with minute taking purposes. The public is reminded that in accordance with Section 6.16 of the Shire of York Local Government (Council Meetings) Local Law 2016 that nobody shall use any visual or vocal recording device or instrument to record the proceedings of Council without the written permission of the presiding member.

1.3 Standing Orders

Nil

1.4 Announcement of Visitors

Mr Ron Lee JP

1.5 Declarations of Interest that Might Cause a Conflict

Nil

1.6 Declaration of Financial Interests

Nil

1.7 Disclosure of Interests that May Affect Impartiality

Nil

2 ATTENDANCE

2.1 Members

Cr Kevin Trent, Shire President

Cr James Adamini; Cr Kevin Pyke; Cr Denese Smythe; Cr Peter Wright

Councillor-Elect Chris Gibbs

2.2 Staff

Chris Linnell, Chief Executive Officer; Vanessa Green, Council & Executive Support Officer

2.3 Apologies

Alina Behan, Executive Manager Corporate & Community Services; Lindon Mellor, Executive Manager Infrastructure & Development Services

2.4 Leave of Absence Previously Approved

Nil

2.5 Number of People in the Gallery at Commencement of Meeting

There were eleven (11) people in the Gallery at the commencement of the meeting.

3 PUBLIC QUESTION TIME

Public Question Time is conducted in accordance with the *Local Government Act 1995* and Regulations. In addition to this the Shire's *Local Government (Council Meetings) Local Law 2016* states:

6.7 Other procedures for question time for the public

- (1) A member of the public who wishes to ask a question during question time must identify themselves and register with a Council Officer immediately prior to the meeting.
- (2) A question may be taken on notice by the Council for later response.
- (3) When a question is taken on notice the CEO is to ensure that—
 - (a) a response is given to the member of the public in writing; and
 - (b) a summary of the response is included in the agenda of the next meeting of the Council.
- (4) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to—
 - (a) declare that he or she has an interest in the matter; and
 - (b) allow another person to respond to the question.
- (5) Each member of the public with a question is entitled to ask up to 2 questions before other members of the public will be invited to ask their questions.
- (6) Where a member of the public provides written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
- (7) The Presiding Member may decide that a public question shall not be responded to where—
 - (a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;
 - (b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or
 - (c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.
- (8) A member of the public shall have 2 minutes to submit a question.
- (9) The Council, by resolution, may agree to extend public question time.

- (10) Where any questions remain unasked at the end of public question time they may be submitted to the CEO who will reply in writing and include the questions and answers in the agenda for the next ordinary Council meeting.
- (11) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.

Public Question Time commenced at 4.03pm.

3.1 Written Questions – Current Agenda

Nil

3.2 Public Question Time

Nil

As there were no further questions Public Question Time concluded at 4.04pm.

4 SWEARING-IN OF COUNCILLOR-ELECT

In accordance with Section 2.29 of the Local Government Act 1995, Section 13 of the Local Government (Constitution) Regulations 1998 and the Oaths, Affidavits and Statutory Declarations Act 2005, the Shire President invited Mr Ron Lee JP to perform the Swearing In Ceremony and witness the Declaration of Office for Councillor-Elect Chris Gibbs.

Cr Chris Gibbs was sworn in at 4.06pm and took his place at the Council table.

5 CLOSURE

The Shire President thanked everyone for their attendance, welcomed Cr Gibbs to Council and closed the meeting at 4.07pm.

The minutes were confirmed by the Council as a true and accurate record at the Council Meeting held on 23 April 2024.

SHIRE PRESIDENT
Cr Kevin Trent